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EVERY WEEKDAY

Lawrences allowed to read report

Condon will fight to stay in his job

By STEWART TENDLER, MICHAEL HARVEY AND PHILIP WEBSTER

SIR PAUL CONDON, the Metropolitan Police Commissioner, yesterday signalled he would not resign over the Stephen Lawrence report after seeing it for the first time behind closed doors at the Home Office.

As Scotland Yard repeated Sir Paul's pledge to see out his full term of seven years and to retire next January, the Commissioner had an unexpected meeting with Jack Straw when he went to the Home Office to read the report.

It is believed that Sir Paul's willingness to embrace the new definition of institutional racism contained in the report may be enough for him to ride out the storm.

The Home Secretary, is understood to be reluctant to call for Sir Paul to go. He believes that such a move would have a damaging impact on morale across the police force for which he is responsible.

Defending his decision to try to block publication of the report on Saturday night, it was notable that Mr Straw went out of his way to refer to its effect on Sir Paul.

"That prejudicial comments have been made against the Commissioner, even before he has had a chance to see the report, is one reason of many why it was right to stop this happening," Mr Straw told the Commons.

Following the report's conclusion that there was "pernicious and institutionalised racism" in the Metropolitan Po-

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lice, some left-wing MPs will tomorrow demand his resignation. But Sir Paul appeared ready to take them on.

One senior Yard officer said that the Commissioner was resolved to carry on. He would only resign if the demands from MPs and the public became overwhelming. Sir Paul believes he can accept the report and survive.

John Barnes, Secretary of the London branch of the Police Federation, said: "We are one hundred per cent behind him and don't think he should leave and he is feeling the

same way." Chief constables also believe he will stay and bow to the definition of institutional racism set out by Sir William Macpherson of Cluny in the report released tomorrow.

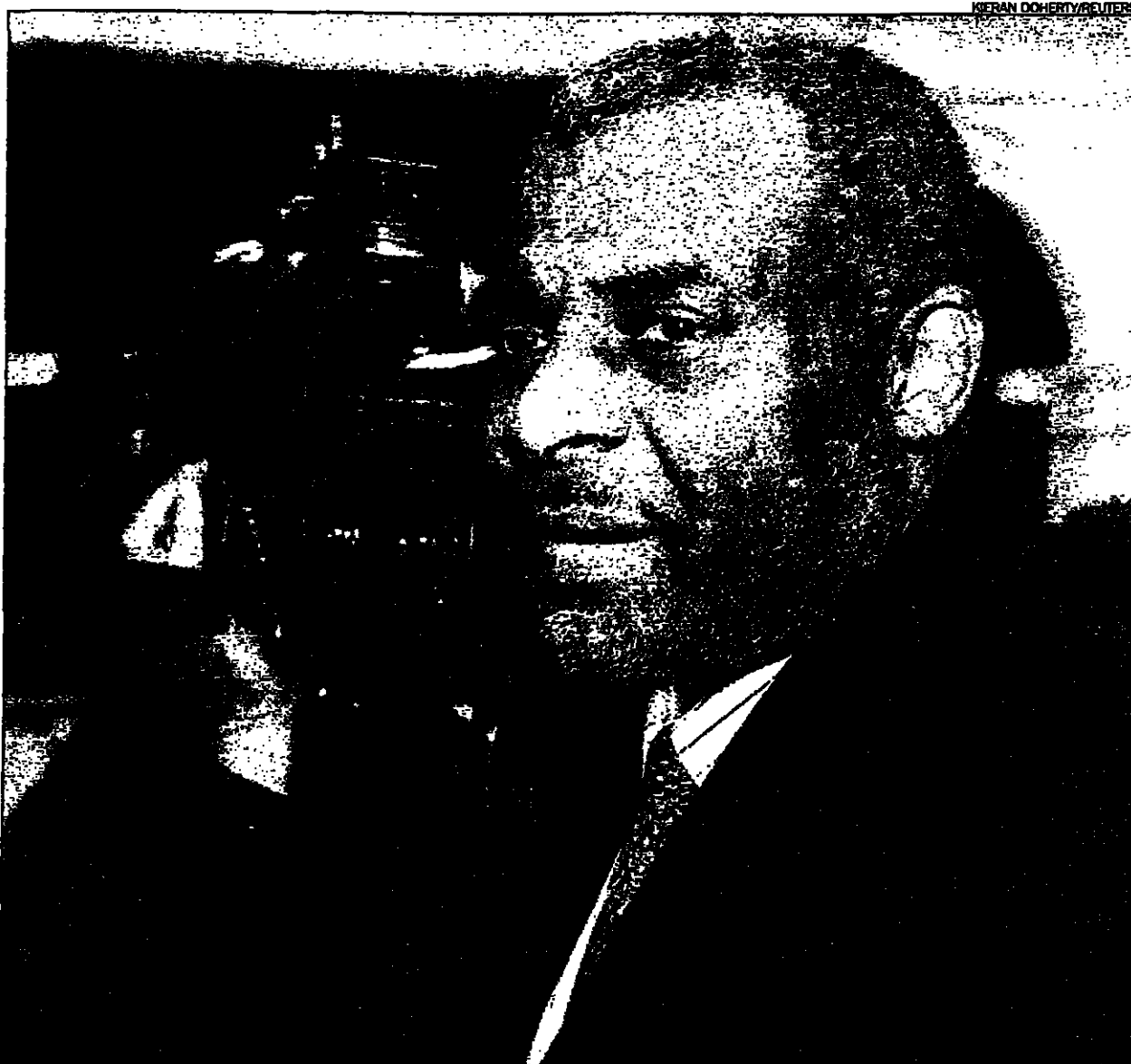
Yesterday Sir Paul was already at the Home Office by the time the news was announced shortly before midday that Mr Straw would allow the Commissioner and the parents of Stephen Lawrence to see the report.

In the most excruciating two hours of his career, Sir Paul sat in an office on his own on the seventh floor of No 50 Queen Anne's Gate to read the damning verdict on his force and its handling of the investigation into the racist stabbing of the black A-level student. Sir Paul was not allowed to take notes, nor to take away a copy of the report.

Sir Paul left the Home Office shortly before two o'clock, escaping waiting photographers by being driven out of a rear entrance. Meanwhile, the Lawrences were on their way to the Home Office.

Doreen Lawrence was at work when the news came through late in the morning. Her husband Neville and Imran Khan, the family's solicitor, arrived without her at 2.40pm. Greeted by a Home Office press officer, they were ushered to a back entrance surrounded by a mob of photographers.

Yesterday chief constables indicated privately that they can live with the new definition of institutional racism



Neville Lawrence, Stephen's father, arriving at the Home Office yesterday to read the report into his son's murder

Mrs Lawrence arrived at 3.15pm just as Mr Straw was being driven out to the Commons to give his statement.

For the Lawrences, this was the moment of truth. Having failed to see anyone jailed for the killing, they view the report's recommendations as some compensation for their grief and trauma.

They took their time, sitting in the office, reading each page carefully. In all, the Lawrences took more than three hours to read and digest the report's contents.

Yesterday chief constables indicated privately that they can live with the new definition of institutional racism

and the Association of Chief Police Officers is expected to accept it. But one senior chief constable said he was anxious that the new definition might make officers more cautious about making arrests.

The Police Superintendents' Association also expressed worries. Chief Superintendent Des Parkinson said the definition which talks about "unwitting prejudice" would be so broad that it would be meaningless. Both he and Inspector Glen Smyth, Chairman of the London branch of the Police Federation, said they believed that Sir Paul had been the victim of a dirty tricks campaign from within the Home Office.

There were furious scenes in the Commons as Mr Straw explained his actions of Saturday night and said that claims that freedom of the press had been challenged were "absurd." But Mr Straw was ordered by the Speaker to apologise to Sir Norman Fowler, his Tory shadow.

Sir Norman, a non-executive chairman of a newspaper group, accused Mr Straw of being autocratic. As the Home Secretary retorted that he was speaking as a newspaper chairman rather than as an MP, an angry Sir Norman called him a "cheap line man".

The Speaker intervened and

Mr Straw swiftly said sorry. Sir Norman renewed his attack, branding Mr Straw's move "entirely unjustified and an autocratic course of action". He said ministers were the "chief leakers in advance" of their own announcements and said the attempt to claim Mr Straw was trying to defend parliamentary democracy "defied belief".

"No issue of national security was at stake in this case. What you should do is to apologise to the House and the public for the action that you have taken and to give an assurance that neither you nor any other government minister will repeat that action," he added.

Blair gives euro signal to business

By PHILIP WEBSTER
POLITICAL EDITOR

THE strongest signal so far to business and the European Union that the Government is warning to British membership of the euro will be sent out today.

The Prime Minister, rather than Gordon Brown, the Chancellor, is to announce details of the national changeover plan for the introduction of the single currency in the event of a decision by the British people in a referendum in the next Parliament to go in.

It is understood to envisage a three-year period between a referendum vote and the abolition of sterling as legal tender.

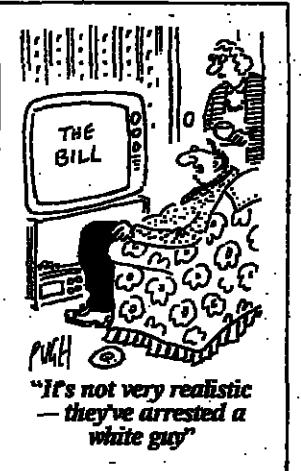
Tony Blair's decision to present the 60-page document — backed by Mr Brown, according to Treasury sources last night — will be seen as a further sign that he believes eventual membership to be inevitable.

There will be no change in the long-established "prepare and decide" policy of the Government. Membership of the single currency in this Parliament is ruled out.

The tone of Mr Blair's statement to the Commons will be significant, according to informed government sources. Although he will be presenting a practical document setting out the "nuts and bolts" changes that would have to be made in the event of going into the euro, the overall message to business will be that the Government is serious about entry if the economic tests set by Mr Brown in 1997 are met.

Francis Maude, the Shadow Chancellor, said Mr Blair's decision "shows just how committed the Government are to rushing headlong into the single currency".

Euro slip, page 27



Eton boy found hanged in room

A 15-year-old Eton College pupil was found hanged in his room. Nicholas Taylor, who was in his second year, was certified dead in Baldwin's Dec House. The police said there were no suspicious circumstances. Page 5

Highbury replay

Arsenal and Sheffield United have been allowed to play their FA Cup fifth round re-match at Highbury tonight. Arsenal's original winning goal was disputed. Page 52

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Drama's enfant terrible takes her own life at 27

By DALYA ALBERGE, ARTS CORRESPONDENT

SARAH KANE, the enfant terrible of the theatre who sent shudders through her audiences with the violence and depravity of her plays, is believed to have committed suicide at 27.

The playwright will be best remembered for *Blasted* at the Royal Court Theatre in London, which the critics damned for its explicit sex and violence.

The 1995 play featured a character being raped by a soldier before having his eyes gouged out and his tongue eaten.

Ms Kane was regarded as an emerging talent whose death, early on Saturday, will create debate over the worth of the four plays she had written.

The Royal Court was convinced it had unearthed a major talent who addressed racism, sexism, abuse and other themes of today's society. The theatre commissioned another play from her, *Cleanse* —



Sarah Kane: major talent

which featured someone injecting heroin into an eyeball and a man being raped with a broom handle.

She was the daughter of Peter Kane, the former East Anglia correspondent of *The Mirror*, who retired recently. She grew up in Essex and graduated with a first in drama from Bristol University.

She was an intensely private individual who once described herself as "a Christian until I was about 17", an experience she recalled as "a spirit-filled, born-again lunacy".

The real Kane was a secret. As one interviewer put it: "In an ideal world, she probably wouldn't even reveal her name."

Claiming that the inspiration for the violence in her work came partly from the Bible, she said: "The reading I did in my formative years was the Bible, which is incredibly violent... full of rape, mutilation, war and pestilence."

She viewed her move away from religion as her "first relationship break-up", one that was to affect her writing: in *Continued on page 2, col 5*

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Primary lessons for Blunkett

By HANNAH BETTS

DAVID BLUNKETT, the Education Secretary, faces an uphill battle to meet the Government's education targets, according to the results of almost 15,000 primary schools published in *The Times* today.

Mr Blunkett has offered to resign on the issue of raising standards in the three Rs by 2002, promising that 80 per cent of 11-year-olds will achieve standards for their age group in English, and 75 per cent in maths. But the results show only 64 per cent of children meeting their age group standards in English and 58 per cent in maths.

Nottingham finished bottom of the 150 local education authorities, followed by Newham and Tower Hamlets, both in east London, Sandwell in West Midlands and Hackney. Scilly is the most successful authority, followed by City of London, Richmond upon Thames, Wokingham and Surrey.

The most improved school in England is Malinslee County Primary, near Telford. Last year Malinslee had the second worst results in the country.

The other great success stories of this year's tables are St Michael's Bamford Church of England Primary School in Rochdale, and Sherington Church of England School in Oxford, both of which have recorded maximum scores in all three years of the tables.

The tables are propped up by Burnt Tree Primary School in Oldbury in the West Midlands. Although four of the 26 children sitting the tests reached the expected level in English, only one did so in maths and science.

Defending the figures, Mr Blunkett pointed to just short of a thousand schools that have shown consistent improvement since the tables were first published in 1997.

Special supplement

Lottery grant to haul stone to the henge

By SIMON DE BRUNELLES

AT LEAST prehistoric man knew why he was laboriously transporting giant bluestones from west Wales to Stonehenge. The volunteers who were given £100,000 lottery money yesterday to follow in his footsteps have no such excuse for making the five-month journey.

Dressed in skins and using Stone Age technology, they intend to haul a four-tonne rock 240 miles from the Preseli mountains to the mysterious monument on Salisbury Plain. The first stones were taken from the Preseli to form an inner horseshoe within the

prehistoric monument more than 4,000 years ago. Although enthusiasts have demonstrated different methods of moving the ten-foot long stones using nothing more than logs and primitive ropes, no one had been foolhardy enough to attempt the entire trip.

Several hundred volunteers will start the stone on its way by hauling it down the mountain from a Stone Age quarry, using wooden rollers, in May. Then it will be loaded on to a wooden raft and floated through Milford Haven and along the coast of south Wales via Swansea and Cardiff on its way to the River Avon. It will make the final leg of its journey overland, again using

logs as rollers. Sinead Henahan, a spokeswoman for Menter Preseli, the rural conservation group planning the re-enactment, said: "This is a real chance to recreate how ancient man built Stonehenge all those years ago. We will be moving the stones only using information available at the time it was built."

As well as being a fun way of marking the millennium, the project has a serious scientific purpose. We want to show that Stone Age man was capable of making such a journey. Although we don't know exactly how they did it, there have been a number of experiments using ropes and log rollers."

Archaeologists have argued for centuries over how the stones were moved. Many say it was an impossible feat, leading to suggestions that Stone Age man may have had natural — or even supernatural — help.

Some believe the stones were carried three-quarters of the way in ice age glaciers. Others think they were levitated, or moved by flying saucers. Stones found in the sea at Milford Haven, however, suggest they were carried by water — a theory Menter Preseli will test.

If they succeed, they will have shown how Stone Age man could have moved the stones. They still won't know why.

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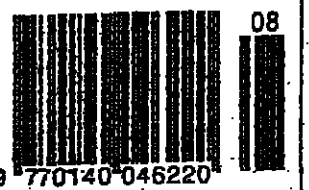
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Stormin' Norman can't shake the House that Jack built

At our peril do journalists forget that MPs hate us more than they hate each other. Jack Straw's Commons defence yesterday of his week-end attempt to "gag" the press did him no harm at all.

Rattled but unrepentant, the Home Secretary misjudged badly at first, in an uncharacteristic personal attack on his Tory Shadow, but he was steadied by support from every Labour MP who rose.

was more than understanding. It was enthusiastic.

If the mood behind Mr Straw was any guide, there's just one question in Government backbenchers' minds: "Why only *The Sunday Telegraph*?" As he settled back to questions after a nervy opening statement, MP after MP behind him leapt up to stiffen his resolve.

The Chief Whip, Ann Taylor, quite overtaken by fervour, started shouting and waving her arms at the Conservative front bench.

Fuming (from a sedentary

position) "You cheap little man!" Straw's Tory Shadow, Sir Norman Fowler, had made a good fist of the Opposition indictment. Sir Norman had almost sounded cross, which for Sir Norman is fury indeed. But the problem was that the Tory theme tune was not really "Press Freedom" but *You would cry too, now it's happened to you*.

Having been themselves knocked about by the newspapers, Tories were more gleeful than angry at Labour's crying "foul". The Opposition did not really deny that the leak



was a foul; their howls were at the spectacle of Labour blowing the whistle. This lent a boldness to protests that pretended to be on behalf of the freedom of the press, but were really against Labour double standards.

Straw could have ignored them with a cynical chuckle. But, reeling from the morning's comprehensive pasting by Fleet Street (the Deputy Editor of *The Sunday Telegraph*, Matthew d'Ancona, was watching from the Press Gallery) he was too wound up.

He accused Sir Norman (who had declared a press dictatorship) of speaking for his pocket rather than the public interest. This enraged Sir Norman, who complained. Unfortunately, Betty Boothroyd's attention had wandered. She asked Straw to repeat his attack. This made Sir Norman even more cross. Miss Boothroyd asked Straw to apologise; he replied "I withdraw"; Tories shouted "Apologise!" and Straw then said "I apologise" — but quietly.

Straw recovered as his own side chirped up. First on his feet was Gerald Kaufman with an attack on Sir Norman of such venom that nobody noticed Mr Kaufman had forgotten to support his own side. Nobody else forgot. From Labour came not a peep of protest. More backbenchers than Gwyneth Dunwoody (Crewe & Nantwich) used the time-honoured "with press freedom comes responsibility" upon which this sketchwriter remembers Ian Smith, the self-styled Prime Minister of Rhodesia, relying as he whittled out large sections of the front page of the *Rhodesia Herald*.

When Julian Lewis (C, New Forest E) repeated a press allegation that a junior Home Office minister had done the leaking, a little bench of these creatures — Paul Boateng, Kate Hoey and Mike O'Brien — rocked in extravagant mirth, glancing sideways at each other.

Other Tory MPs such as Gerald Howarth (Aldershot) and Roger Gale (Tunnet N) openly agreed with Straw that selective advance leaking was an evil others implied it, by repeated allegations that Labour's spin-masters were no better than *The Sunday Telegraph*. This was less than a ringing endorsement of press liberty. Standing in one corner, Peter Mandelson watched, elegantly absorbed.

Jails face a £1m bill for docking inmates' wages

THOUSANDS of serving and former prisoners are expected to claim an estimated £1 million from the Prison Service after a legal claim over deductions from their wages for board and lodging.

The service is preparing for a flood of compensation claims after an admission that it had been unlawfully deducting cash from wages earned by offenders for 40 years.

It is estimated that at least 10,000 serving and former inmates in jails and England and Wales are eligible for refunds. The service is currently deducting £26,000 a month for board and lodgings from inmates' wages.

Prison governors have been instructed by the Prison Service to stop making the weekly deductions amounting to an average of £18.25 a week. In the past, more than £40 a week per prisoner has been deducted.

The Prison Service admitted that it had been acting unlawfully after four prisoners, now at Whitmore top-security jail in March, Cambridgeshire, began judicial review proceedings over the decision to deduct the money.

John Duggan, serving life for murder, George Daly, Glen Macpherson and Craig Preece, also lifers, launched the challenge after the service

Prison Service admits mistake in making prisoners pay for board, reports Richard Ford

began taking a cut from their wages while they were in Wakefield jail in 1959.

The prisoners, who were on the enhanced earning scheme, were receiving up to £120 a week for contract work in the jail's workshops. The prison took up to £40 a week to help towards board and lodgings at the jail, where the cost of keeping an inmate is almost £700 a week.

The Prison Service stopped deducting board and lodging costs from inmates on the enhanced earning scheme as soon as the legal proceedings began in 1995 but continued taking the money from prisoners earning wages as part of pre-release work in the community.

However, in preparing for the court case, the service was advised by its lawyers that all the deductions were unlawful. Peter Dawson, acting director

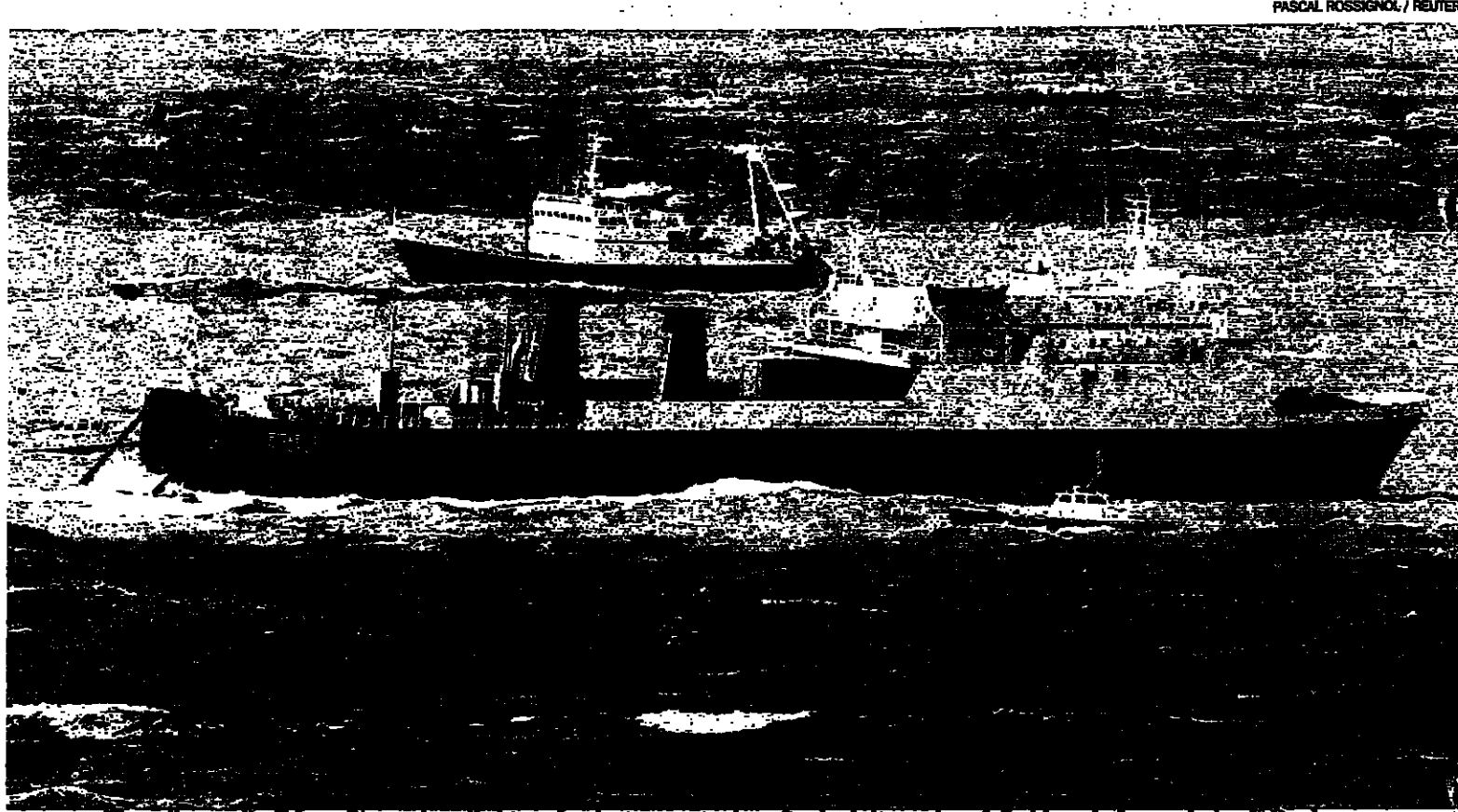
of regimes, said in a Prison Service circular: "In the light of legal advice that the deductions were unlawful (because prisoners cannot be required to pay for their own imprisonment, and cannot consent to pay for their own imprisonment) the Prison Service has conceded these cases."

Although deductions have been made for board and lodgings since the mid 1950s, the service is only liable for claims going back to 1993.

A Prison Service spokesman said: "Our view was that these prisoners were taking part in these schemes voluntarily and therefore we were entitled to charge for board and lodgings."

Mark Leech, a consultant with A.S. Law, a Liverpool-based solicitors' practice which represented the four prisoners who brought the case, said: "I am delighted that the Prison Service has seen sense about these deductions. It means that all monies taken from prisoners for board and lodgings will have to be repaid."

He added: "Prisoners who receive realistic wages because they work on a comparable basis to those in the community will now be able to save for their release and be in a much better position to survive financially when they get out."



The roll-on, roll-off ferry Picasso is pulled to safety by tugs yesterday after both its engines failed in gale-force winds off Boulogne

18 winched to safety in Channel gale

By ELIZABETH JUDGE AND SUSAN BELL

EIGHTEEN lorry drivers on board a British ferry had to be winched to safety yesterday amid gale force winds and rough seas, after both the ferry's engines failed. The 34 passengers and crew aboard the Picasso had to wait for an hour in the rough conditions before French and English rescue teams arrived.

The ferry, a freight and passenger service chartered by the British company Falcon Sea Freight, ran into difficulties shortly after leaving Boulogne for

Folkstone yesterday morning. Both the engines failed and gale force winds began to push the 5,669 ton vessel back towards the sea wall. The crew dropped two anchors but were unable to halt the ship's progress against the gale.

Alan Edwards, the ferry captain, radioed the French authorities, who requested British assistance. A French navy helicopter winched 12 passengers and six crew members to safety in the gale which was gusting at up to 50 miles an hour.

The captain and a skeleton crew remained on board although a coast-

guard helicopter sent from Portsmouth was on stand-by to take them off in case efforts to secure the vessel failed.

The captain and crew eventually succeeded in restarting the ferry's engines. They returned her safely to Folkstone escorted by the British rescue tug, the *Par Turbot*.

Alain Carpentier, one of the rescued lorry drivers, said: "Suddenly the lights went out, there was a loud noise, the engines stopped and there was smoke coming out of the hold."

A spokesman for the Dover Coastguard said that an electrical failure was thought to be responsible for the

double engine failure. He said: "The vessel lost power in a north-westerly gale and the two anchors went down into bad holding ground."

He added: "Those on board were very fortunate to get off scot-free. The ferry did touch bottom, but luckily it was just sand and shells."

The rescue helicopter had to be called out several hours later to pluck two French photographers from a jetty after they became engulfed by high waves and rising tides.

Forecast, page 26

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A real talent that had little chance to bloom

Benedict Nightingale on the brief life of Sarah Kane

WILL Sarah Kane, who is believed to have killed herself, be remembered merely as a callow specialist in shallow shock-effects?

Will she go down in theatrical history as the young woman whose *Blasted* left one leading critic declaring himself "utterly and entirely disgusted by a play which appears to know no bounds of human decency" — and went on to get the most outraged reviews since Edward Bond's *Saved* in 1965 or even Ibsen's *Ghosts* a century or so ago?

Or is there a chance she will join Joe Orton, murdered by his envious flatmate in 1967, or

Sylvia Plath, who committed suicide in 1963, in that part of the pantheon reserved for troubled geniuses violently cut off in their youth? A chance, yes; but no more than that, since she had yet to develop into the assured playwright that, if you refused to be morally panicked by the eye-gouging, male rape and cannibalism of *Blasted*, she promised to become.

Her sense of horror surpassed that of the other disenchanted young playwrights who emerged in 1994 and 1995, bringing London what some have summed up as a Theatre of Urban Ennui; but her subsequent work showed that, far

from being a sensation-monger, she wrote what she saw and felt — anguish.

This anguish was again expressed in notably bold terms in *Cleanse*, which appeared at the Royal Court in 1998. Set in a soul-destroying institution where love was punished by beatings, mutilation and murder, it was reminiscent of Harold Pinter's *Hothouse* or Kafka's *In a Penal Colony*, yet clearly embodied Kane's own torments.

"She is not the gloating opportunist that some reviewers of *Blasted* thought," I found myself writing. "She has no less integrity than Pinter or Bond, but, God knows, I would hate to live in her head."

Maybe she hated living in her own head. That thought again struck me when her *Cave* hit the Edinburgh Festival last year. There were no horrific effects, just people sitting and talking quietly and poetically about themselves and each other. One spoke of his yearning for love, another of her longing for children, a third of a desolation and self-hatred that derived from abuse and rejection.

But it struck me as a deeply personal play, though one could not confidently identify Kane with any of her characters. Whether or not it represented any lasting change in her style, it was a strange, beautiful piece: proof, if any were needed, that she was a writer of serious talent.

Playwright dies

Continued from page 1

Cleanse, she set out to create a goddess universe. She felt she had been damned for renouncing God.

Ms Kane, who used to write feverishly in the early hours, barely stopping to sleep, wrote her play, *Cave*, under a pseudonym. But she denied that she had thought of changing her name permanently.

She was so hurt by the press that she confided to friends that "the only good journalist is a dead journalist". One friend said yesterday that the press coverage could not have helped her state of mind. "It made her feel vulnerable. She felt the stage and theatre should have been able to stage

works without censorship and attack."

Ms Kane once commented: "People think *Cave* is the most uplifting and hopeful thing I've written, yet it ends in suicide and despair. It is certainly the most painful and difficult play I've written. Some people seem to find release at the end of it, but I think it's only the release of death."

Friends were too shocked to discuss the exact circumstances of her death, although they confirmed that it was suicide. Ian Rickson, artistic director of the Royal Court, said: "Sarah was a profound human being and a true poet of the theatre. All of us...are so very devastated by her loss."

NEWS IN BRIEF

Islam is a good force, says Blair

Tony Blair has said that when anyone thinks of Islam, their first thoughts should be of "peace, tolerance and a force for good". In an interview with *Muslim News*, the Prime Minister says he has "no truck at all" with those who suggest that conflict is inevitable between Islam and the West.

He wants the Muslim community to feel "fully accepted and catered for in Britain". He feels that their views can be expressed and heard by government, and to become fully represented at all the levels of public life.

Professors' deal

Professors at Cambridge University are to receive a pay rise of up to 50 per cent in an attempt to compete with American institutions. Under the package, approved in a ballot of 3,300 senior staff at the university, leading professors will receive an extra £22,000, making some more than £20,000 better off than their equivalents at Oxford.

Party spirit

Organisers of festivities to mark the millennium put faith at the heart of events yesterday with the largest grants package yet for religious celebrations. More than £3 million of lottery money will be spent on projects to add a spiritual dimension to the party under the £100 million Millennium Festival launched by Chris Smith, the Culture Secretary.

Rail union clash raises strike fear

By ARTHUR LEATHLEY
TRANSPORT CORRESPONDENT

LEADERS of the biggest rail union fear a left-wing takeover next month that could lead to a wave of industrial action. Militants are campaigning to oust Jimmy Knapp, the leader of the Rail, Maritime and Transport Union, claiming that he has failed to take a tough enough stance.

Campaigning for the post of general secretary began yesterday with Greg Tucker,

a hard-liner who was expelled from the Labour Party, mounting a challenge to Mr Knapp for the election on March 30.

Senior colleagues of the general secretary fear that apathy among the 60,000 union members could lead to Mr Tucker's victory. They point to the surprising election last year of Dave Rix, a left-winger, as general secretary of Aslef, the train drivers' union, after a low turnout.

Mr Knapp, a moderate, has been criticised by some within the union for failing

to win assurances from ministers over the future of the 16,000 RMT members working for London Underground when private firms take over running the Tube system.

Mr Tucker, a former Labour member of Lambeth Borough Council, has said that the union should reassert its own political agenda and demand the repeal of all anti-union laws. He has won widespread support, especially among London members, for his militant standpoint.

GP char...

Change PC...
colleagues fo...

star left up

GP charged with 7 new murders

Unexpected move
by police brings
the number of
alleged victims
to 15, reports
Russell Jenkins

HAROLD SHIPMAN will face charges of murdering 15 of his women patients when he goes on trial next October.

The GP, who runs a one-man practice in Hyde, Tameside, Greater Manchester, now stands accused of being one of Britain's most prolific serial killers of modern times.

Dr Shipman, 53, of Mottram, is alleged to have begun killing the mostly elderly women patients in March 1995, and to have continued until the death of Kathleen Grundy, 81, a former mayoress of Hyde, in June last year.

He is accused of murdering two of the women in February last year, with his alleged victims dying within nine days of each other.

In an unexpected move, Greater Manchester Police yesterday formally charged him with a further seven alleged murders to add to the eight murder charges he already faces. Dr Shipman later appeared before Tameside magistrates.

Greater Manchester Police said yesterday that the bodies of six of the women involved in the new charges had been cremated. In the other cases charges had followed exhumations from cemeteries.

Police have so far carried out 12 exhumations in cemeteries in Hyde and Bredbury, of which three have not led to murder charges. Detectives refuse to rule out further charges being laid.

Detective Superintendent Bernard Postles, who is leading the inquiry, said in a statement: "We will not enter into speculation about whether there will be any further charges or whether we have drawn a line under the inquiry now."

The doctor, wearing a white open-necked shirt and a red sweat shirt, appeared before Tameside magistrates at Ashton-under-Lyme at a ten-minute hearing. He spoke only to confirm his name and address and reply "yes" when asked if he understood the nature of the charges against him. He was not asked to enter a plea on the new charges.

He was yesterday charged with murdering Muriel Grimshaw, 76, in Hyde; Marie West, 81, in Hyde; Lizzie Adams, 77, in Hyde; Laura Wagstaff, 81, in Gee Cross; Norah Nuttall, 65, in Gee Cross; Pamela Marguerite Hillier, 68, in Hyde; and Maureen Alice Ward, 57, in Hyde.

During the court hearing, there were no formal submissions from Anne Ball, the solicitor representing Dr Shipman in court, and no application to lift reporting restrictions.

Thomas Wragg, chairman of the bench, told Dr Shipman that he had been committed to stand trial at a crown court on the charge of murdering Mrs Grimshaw, and that he faced another committal hearing before Tameside magistrates on the other six charges next month. Dr Shipman smiled briefly to his wife, Primrose, and their son in the public gallery as he left the court.

The doctor had already been charged with the murders of eight other women — Kathleen Grundy, 81; Blanka Pomfret, 49; Joan Melia and Winifred Mellor, both 73; Marie Quinn, 67; Ivy Lomas, 63; Irene Turner, 67; and Jean Lilley, 59.

Dr Shipman, a father of four, has also been charged with forging Mrs Grundy's £300,000 will. He has pleaded not guilty to the four murder charges that have formally been put to him so far, and is due to appear before a judge at Manchester Crown Court on March 1 for a further plea and directions hearing.

Each of the women that Dr Shipman was yesterday charged with murdering were patients at the surgery in Hyde's busy main shopping street.

Miss Ward, a college lecturer, was a spinster. Mrs West, a widow who lived in Gee Cross, owned a children's clothes shop in Newton Street. Mrs Grimshaw, Mrs Nuttall and Mrs Adams were also widows.

Ms Lewinsky, who was paid £400,000 by Channel 4, sat in the living room of her mother's top-floor apartment in Manhattan overlooking Central Park while she was being interviewed.

In the adjacent room sat her two lawyers, who monitored the interview. Ms Lewinsky's mother, Marcia Lewis, stepfather, Peter Strauss, and aunt, Debra Finerman, waited in a hotel across the road until the interview was completed at 6pm on Sunday.

The one restriction placed on the interview by the special prosecutor, Kenneth Starr, was that she said nothing about him personally or his colleagues.

Mr Snow said that Mr Starr's actions were "self-serving and defensive. She is very frustrated at not being able to say what she would like to say about Kenneth Starr."

It is one of only two interviews that she agreed to give and will be shown on Channel 4 next Thursday. The station has already sold the rights to its hour-long special to more than 25 countries.



Marie West, 81, died on March 6, 1995



Irene Turner, 67, died on July 11, 1996



Lizzie Adams, 77, died on February 28, 1997



Jean Lilley, 59, died on April 25, 1997



Marie Quinn, 67, died on November 24, 1997



Laura Wagstaff, 81, died on December 9, 1997



Dr Shipman leaving Ashton police station yesterday



Blanka Pomfret, 49, died on December 10, 1997



Norah Nuttall, 65, died on January 26, 1998



Maureen Ward, 57, died on February 18, 1998



Winifred Mellor, 73, died on May 11, 1998



Joan Melia, 73, died in June 1998



Kathleen Grundy, 81, died on June 24, 1998

Sex-change PC asked male colleagues for 'a snog'

By a Staff Reporter

A POLICE officer who became a woman after a sex change operation has asked her male colleagues for a "snog" (a kiss) yesterday.

Claire Ashton — formerly known as Tony — sent one of her male colleagues a note inquiring "Where's my snog — X", causing the blushing constable to leave the room, the tribunal was told. On another occasion the 37-year-old transsexual told an officer over the phone: "I'm still waiting for me kiss".

Ms Ashton, of Uffington, Shropshire, is claiming sex discrimination under the Disability Act against her former employers, West Mercia police. She claims she was bullied by colleagues and singled out for criticism because of the change in sex she was undergoing. The Shrewsbury hearing was told how she was banned from using the women's lavatory and treated "oppressively" during interviews with superiors.

Declan O'Dempsey, barrister for the applicant, said that until March 1997 Ms Ashton was employed with West Mercia police as a firearms expert. During the summer of 1996 Ms Ashton was found to suffer from "gender identification dysphoria", an illness causing depression.

He said: "The applicant started life biologically as a male but psychologically the



Tony Ashton, a firearms expert before his sex change

applicant has always been female. Ms Ashton began "gender realignment treatment" and agreed she would switch from her police post to a civilian job as a communications officer.

The hearing was told that Ms Ashton found it difficult to concentrate and was often found in tears because of the hormone treatment.

Mr O'Dempsey said that in 1997 Ms Ashton was sum-

moned to an interview and accused of sexually harassing two police officers. Her superiors had been informed that she had sent a note to a PC Morris asking for a "snog".

Mr O'Dempsey said: "During the interview it was said that PC Morris was passed a note from Claire by another colleague, Cathy. He read it and said, 'Anytime, Cathy.' But Cathy pointed out that it was from Claire. The officer



Ashton claims she was singled out for criticism

blushed and left the room. About two weeks later Ms Ashton was interviewed after complaints that she was using the ladies' lavatories instead of a "general" lavatory agreed when she started the job.

Ms Ashton, who had been a police constable, left the force last year. She told the tribunal that the two occasions when she was alleged to have asked officers for kisses had been "blown out of all proportion". She said she had written a note to her colleague with "Where's my snog?" in response to a message he had put on a card for her.

The hearing was told that the officer had written "Who gets the first snog then?" on a leaving card for Ms Ashton before she joined the communications department.

The hearing was adjourned.

Jolson star left up the Swanee

By Paul Wilkinson

A SHOW by an Al Jolson impersonator at the London Palladium threatens to be a pale imitation of the real thing because his backing choir is refusing to black up.

Clive Baldwin, an English-born performer who now lives in Florida, has a worldwide following and his Mother's Day concert next month is expected to be a sell-out. However, the 80-strong Hallmark of Harmony choir from Sheffield has told promoters that the traditional minstrels' make-up is "inappropriate".

Yesterday Chris Tideman, the choir's chairman, said: "We will appear with

Clive but there is no way we will wear black make-up." Andy Petch, the leader of the choir, who have been national champions on five occasions, said that the first he knew of any ideas about black make-up was when they received instructions on how to apply it.

Mr Baldwin said yesterday that he would have sacked the choir but for the fact that they would demand their £750 fee anyway. He said: "I am very disappointed. The show is being filmed by an American company and it will look ridiculous if I am there looking like Al Jolson, being backed by a white-faced choir."

"I wouldn't have booked them in the

first place if I had known there was going to be a problem like this. It's too late now to get another choir. There is no way that I would want to offend anyone by my performance but wearing black make-up is an integral part of my performance." He added: "The choir want to sing one of the Jolson classics, Swanee, but I have decided not to let them. I will be doing it."

Mr Baldwin's routine fell foul of the Labour-controlled council in his home city of Hull last July when it refused to let him appear in a municipally owned theatre in his make-up. This provoked booing from an audience that did not appreciate the whiter-than-white show.

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FOR FURTHER INFORMATION PLEASE CALL THE RSPCA ON 01403 223 284.

*NOT INDIGENOUS TO BRITAIN † MORI FEB 1999. THE AIMS OF THE RSPCA ARE TO PREVENT CRUELTY AND PROMOTE KINDNESS TO ANIMALS. RECONSTRUCTION IN ASSOCIATION WITH RESPECT FOR ANIMALS. WWW.RSPCA.ORG.UK

Eton boy
is found
hanged in
his room

Police

Arrest

Verdict

Times felled
rare lily



Eton boy is found hanged in his room

BY HELEN JOHNSTONE AND ALAN HAMILTON

AN ETON boy was found hanged in his room at the college yesterday. Nicholas Taylor, 15, was certified dead after being found shortly before breakfast.

Nicholas, who was in his second year, was a member of Baldwins Bec House. The boarding house, one 25 at Eton, is near Manor House, where Prince William and Prince Harry are staying.

Although an ambulance was called, Nicholas was pronounced dead at the scene by a police surgeon. His parents, who are believed to live near London, arrived at the public school outside Windsor a short time later.

Thames Valley Police are investigating the death but they have said that there were no suspicious circumstances. A post-mortem examination was being carried out and an inquest will be held.

Eton boys were told of their schoolmate's death at morning assembly and several were interviewed by police. The half-time holiday begins on Thursday and yesterday lessons were continuing as normal.

The Head Master, John Lewis, said that Nicholas had joined the school in September 1997. "He had been making a great success of his time at Eton, doing well at his work and at his games," he said. "He enjoyed the company of others and was much respected by them. The school's sympathies go out to the boy's parents, family and friends."

The college takes pride in the quality of the pastoral care that it offers to its 1,284 pupils.

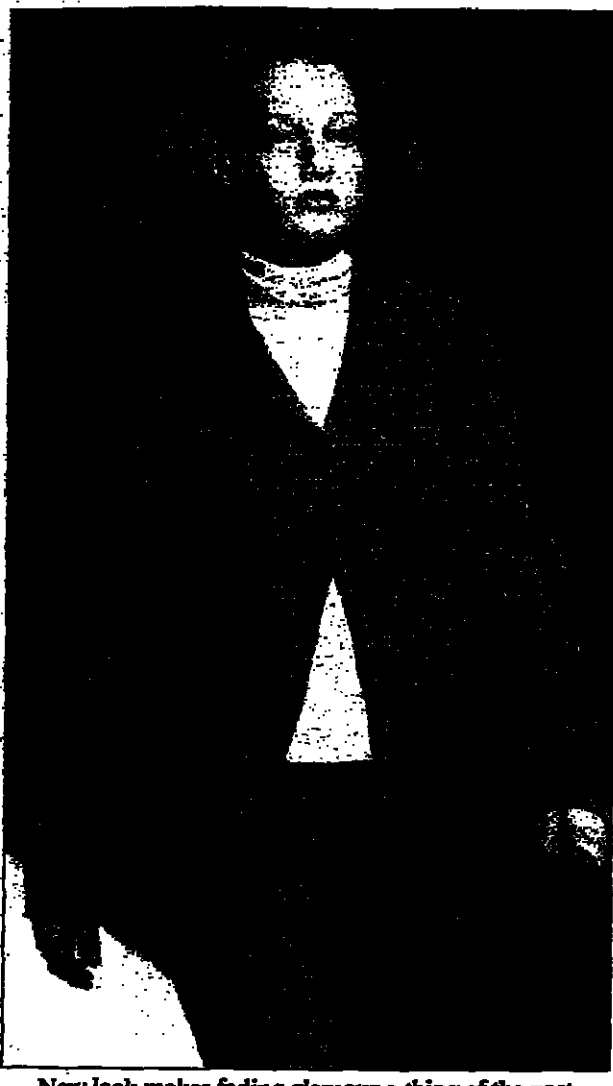
Each housemaster has charge of about 50 pupils, and acts *in loco parentis* to his pupils, usually with his wife taking an active part in the care.

Last year a school inspection, conducted by a retired HM Inspector and a team of heads and senior teachers from leading independent schools, said that Eton's housemasters were "immensely caring and knowledgeable" about their charges.

The inspector's report said of a school once known for flogging and brutality: "This is a civilised community of pupils who respect one another's independence and live together equitably. Pupils generally feel secure in school and have confidence that any incidence of bullying is dealt with swiftly and effectively."

Andrew Galleys, the Ulsterman who is housemaster for Manor House, and his wife, Shauna, were an important source of comfort to William at the time of the divorce of the Prince of Wales and Diana, Princess of Wales. Dr and Mrs Galleys and have become even more important to the welfare of the prince since the death of their mother 18 months ago.

When Prince William was about to enter Eton, his estranged parents invited Dr and Mrs Galleys to drinks at St James's Palace to deliver the message that it would be up to the Galleys, along with Elizabeth Heathcote, the matron of Manor House, to provide William with the stability that his parents could not. The system appears to have worked well.



New look makes fading glamour a thing of the past

London checks out Burberry's new image

By LISA ARMSTRONG, FASHION EDITOR

THE 100-year-old British company that lured the American retailing prodigy Rosemary Bravo from Saks Fifth Avenue in 1997 to revitalise its image unveiled the results in its first catwalk show in London yesterday.

Burberry, which gave the world the trenchcoat originally designed for RAF officers in 1923, has languished in the style stakes for some years, with sluggish profits and a fading glamour. Bravo has hired the photographer Mario Testino for the advertising campaigns, featuring the British model Stella Tennant and Roberto Menichetti, who used to work at for the German designer Jil Sander.

Menichetti has designed its new, cutting-edge line Prorsum, named after the motto fluttering from the mounted knight in the Burberry logo. And cutting edge it was: hems were asymmetric, skirts — made without seams but from three layers of different-coloured fabrics pressed and

steamed repeatedly together — were wrapped round the body. Watery coloured silk dresses enfolded the body like cocoons; slim coats came in the shape of weathered, pumpkin-coloured sheepskin, and cottons were treated to look like canvases.

As for that famous Burberry check, it was coated with a translucent top layer that gave it a faded, antique look. Menichetti is passionate about British heritage and his red-headed models, with flat brogues and artfully blushing cheeks, looked as though they were about to stride across the moors — as styled by Merchant Ivory.

Prorsum is already selling at Joseph, a store that would no sooner have stocked this label two years ago than it would have placed orders for Barbour. Prorsum will be available in Burberry's 50 stores worldwide, as will some of the more traditional Burberry pieces. No point, after all, in scaring the horses.



Modern styling but entrenched in British heritage

Police seize lawyer in Yemen

By DANIEL McGRORY

YEMENI secret police yesterday seized a London lawyer helping eight British Muslims held in Yemen on terrorist charges.

Rashad Yaqoob was arrested shortly before he was due to publicise allegations that the youngest of the Britons, Mohammed Mustafa Kamel, 17, had been gang raped by his captors.

Foreign Office diplomats demanded to know what happened to Mr Yaqoob, who by last night was under police guard in hospital after suffering a "nervous collapse". Yemeni security chiefs last night refused to say what they intend to do next with the 27-year-old lawyer. The arrest is bound to strain still further relations between Whitehall and Sanaa over the conduct of the investigation into an alleged plot to carry out terrorist bombings.

The Britons, Mohsin Ghailan, 18; Malik Nasser Harthra, 26; Ghulam Hussein, 25; Shahid Butt, 33; Samad Ahmed, 21; Mohammed Mustafa Kamel; Shaz Nabi and Ayad Hussein all deny associating with armed groups, plotting murder and destruction, and illegal possession of weapons.

Pop music school shut by debts

By ADAM SHERWIN

THE music academy that trains the pop performers of the future has been forced to close its doors. The London Music School, where members of the bands Placebo and Soul Asylum were students, has called in the receivers after debts reached more than £150,000.

The School, in East London, closed on the night of the Brit Awards, when the industry celebrated its success. About 100 students have been forced to abandon their courses.

The school was founded as a non-profit venture in 1984 to offer talented young people teaching from top musicians and advice sessions from music industry experts. Students paid £5,000 a year to attend.

They received national vocational qualifications in guitar, drums, singing or recording skills. There are more than 1,000 graduates of the school working in the music industry. Some former students have achieved fame in bands including Morcheeba, others work as session musicians, or in West End theatre orchestras.

However, there is hope: last night a potential buyer had expressed a serious interest.

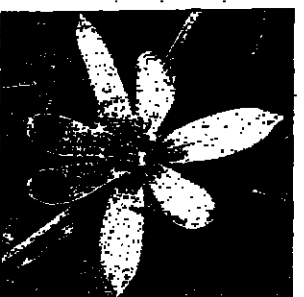
1,500 trees felled to save rare lily

By SIMON DE BRUXELLES

MORE than 1,500 trees have been felled to save one of Britain's rarest flowers. The tiny yellow Radnor lily, a survivor from the end of the last Ice Age, is confined to a half-mile square of Mid-Wales.

The plant flowers only for two weeks in winter. This winter only three of the finger-like lilies came out and one was eaten by an animal. The plants were also being threatened by encroaching trees. Conservationists have cut down the Scots pines and beech trees smothering the 3in plants with shade and fallen leaves. The £5,000 operation was ordered by the Forestry Commission and the Countryside Council for Wales.

The plant thrives in soil-filled cracks in volcanic rocks around a "disused" quarry near the border town of King



The Radnor lily clings on after 12,000 years

ton. The warm, dry conditions of the sheltered, south-facing hillside mimic the Mediterranean that is its natural home.

The Radnor lily, widespread across Britain 12,000 years ago, was identified in 1975 by Ray Woods, 52, a botanist. He said: "I hope that the measures we are taking will enable the lily to survive for another 12,000 years."

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Shahid Butt 150

Community leaders demand action now on inquiry findings

Most fear that life on the streets will change little once the fuss has died down, Daniel McGroarty reports

BLACK community leaders welcomed the conclusion by the Stephen Lawrence inquiry that there is "institutional racism" at Scotland Yard, but few believe it will make much difference to the way police treat ethnic minorities.

Most felt that when the publicity surrounding the report dies down, police behaviour on the streets will not change.

Peter Herbert, the chairman of the Society of Black Lawyers, said: "There will be a lot of noise and promises in the next few weeks because it is high profile. But it now depends whether those in charge

of the police take on board what institutional racism really means and do something about it.

"It's taken a long time to get this far, but at least the inquiry is not hiding behind the old argument that it's just a few bad apples to blame."

In the South London street where Stephen Lawrence was murdered, black youths argued that police attitudes to them would not change. "What good will some report do in places like this?" one

asked. "What judge or politician will be on these streets to see how we are treated? When we complain next time who will listen?"

Suresh Grover, the head of the Southall Monitoring Group, which watches police treatment of minorities, said that Sir Paul Condon, commissioner of the Metropolitan Police, had "dug himself into a massive hole" when he refused to admit the existence of institutional racism.

"It is hard to see how he can now

remain as the head of an organisation that will be told to change its ways," he said.

Mr Grover said that the challenge now was to ensure that the right steps are taken to change the police culture. "Most black and ethnic groups would agree it will take years to change this on the streets," he said. "The police will have to accept radical changes, like independent supervision of investigations of racist crimes."

Leroy Logan, of the Black Police

Association, joined the call for radical change.

"We feel vindicated because our organisation has made this claim for years. The change depends on leadership now. The police should not be told to change from the outside. It should come from within," he said.

Many black leaders pointed to the promises of reform made by the police and the Home Office after Lord Scarman's inquiry into the 1981 Brixton Riots. Then, Lord

Scarman refused to accept that "institutional racism" afflicted the police.

Mr Grover said: "There were training schemes for police, new laws, money spent and fine words and what changed for black and ethnic minorities? Nothing."

Lee Jasper, the director of the black policy think-tank the 1990 Trust who gave evidence to the Macpherson inquiry, said that the report presented the Government with a "radicalised agenda" for

change. "We are very pleased. The report is full-blooded in its criticism and it does reflect, as far as we can see, the broad concerns of the black community," he said.

Mr Jasper repeated his demand for Sir Paul to resign and said that the Government now must ensure that the report's recommendations became reality.

Bernie Grant, the Labour MP for Tottenham, who is black, said: "Unless certain steps are taken to ensure that action is taken the report will turn out to be a waste of time. Paul Condon must go. He must either resign or be sacked."

Ministers to be questioned on leak of report

By Roland Watson, Political Correspondent

PAUL BOATENG, the Minister of State in the Home Office, is to be interrogated by the department's senior civil servant as part of an internal inquiry into the leak of the Stephen Lawrence report.

Two other Home Office ministers are also likely to be included in the questioning after Jack Straw, the Home Secretary, announced the inquiry to the Commons.

Lord Williams of Mostyn, the Minister of State in the Lords, and Kate Hoey, the junior minister with responsibilities for the Metropolitan Police, are also believed to have seen the report, although the Home Office refused to confirm their involvement.

David Ormand, the Home Office Permanent Secretary, will also speak to the small number of senior civil servants who were among the tightly drawn group to receive copies.

Mr Straw was accused of leaving the finger of suspicion hanging over his colleagues yesterday after he refused to answer questions about their involvement. The Home Secretary told the Commons he had nothing personally to do with the leaking of the report to *The Sunday Telegraph*. But he declined repeatedly to say how many or which of his colleagues had been included in

the circulation of the report. He also ducked a question about whether they would be sacked if found to be the source of the leak.

Home Office sources said afterwards that Mr Straw had not asked his colleagues if they had been involved.

Michael Ancram, the Tory chairman, pounced on Mr Straw's omission and called his comments "a Whitehall version of I'm all right, Jack".

Mr Ancram said: "He failed to give any assurances about his team of ministers. Judging by his answers, Mr Straw is not sure that his ministers are innocent of leaking this important report. He leaves a cloud of suspicion hanging over their conduct."

The Home Office said last night that a "very exacting regime" had been set up to try to prevent a leak when a copy of Sir William Macpherson of Cluny's report arrived in the Home Office at 5.50pm on Monday.

It is believed fewer than ten numbered copies were made to be circulated among senior civil servants and ministers. Those also likely to have handled the report include John Lyon, director of police policy, and Ken Sutton, Mr Straw's principal private secretary.

Apart from those inside the Home Office's headquarters

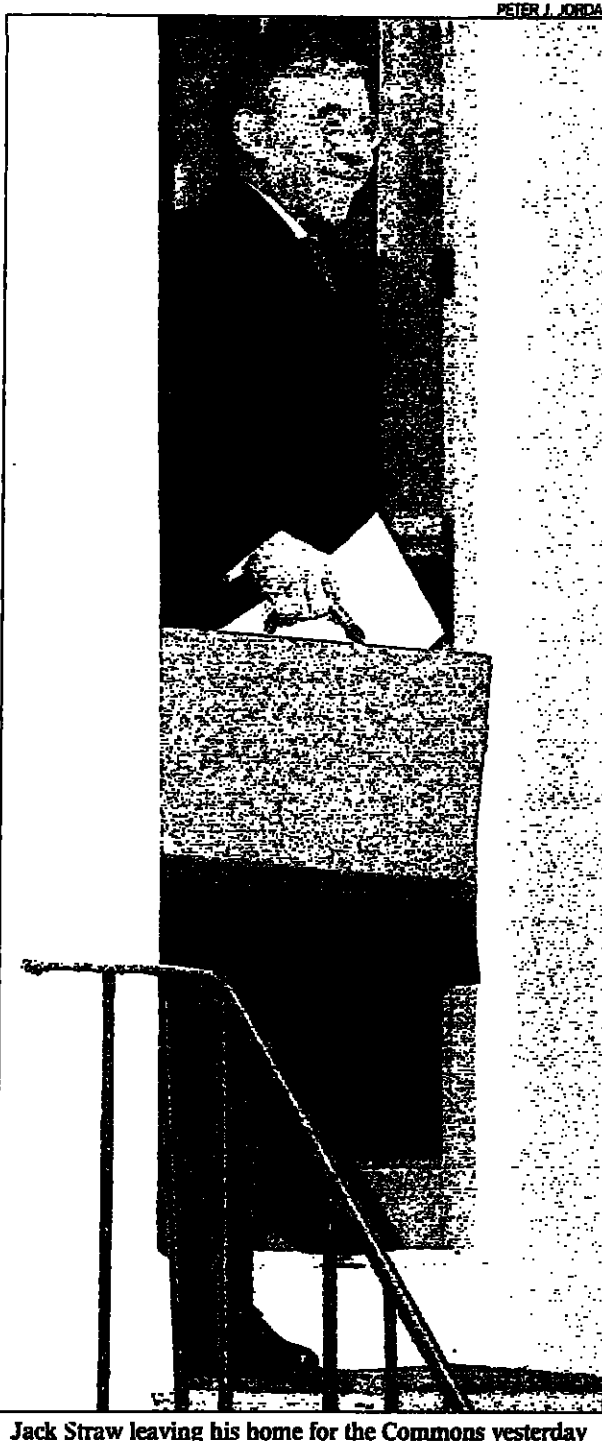
at Queen Anne's Gate, the only others who would have been aware of its contents would have been the inquiry team itself. They included Tom Cook, the retired deputy chief constable of West Yorkshire police force; the Rt Rev Dr John Sentamu, the Bishop of Stepney; and Dr Richard Stone, chairman of the Jewish Council for Racial Equality. The inquiry secretary is Stephen Well, a civil servant seconded from the Home Office.

Less than 48 hours after the report entered the Home Office, it had been leaked. On Wednesday, Tom Baldwin, the political editor of *The Sunday Telegraph*, was ushered into a "darkened room" and given little more than half an hour with the full 350-page report. On Friday he was given a similar amount of time by the source in the same circumstances.

The revelation counters the suggestion from some MPs that the leak had been selective and designed to damage Sir Paul Condon, the Metropolitan Police Commissioner. Home Office sources said that despite the precautions taken, it was impossible to say how many copies of the original document had been made inside the department.

Jack Straw leaving his home for the Commons yesterday

Gordon Nardell, page 43



Jack Straw leaving his home for the Commons yesterday

In a way it's my fault, says black policeman

By Adam Fresco

LONDON'S first black police officer, who joined the force on the same day as Sir Paul Condon, said yesterday that he feels partly responsible for the failed investigation into the death of Stephen Lawrence.

Norwell Roberts, awarded the Queen's Police Medal, believes that if he had spoken out about the racism directed at him throughout his 30-year career with the Metropolitan Police then some of the recommendations of Sir William Macpherson of Cluny's report would have been in place at the time of the murder and as a result the killers would have been brought to justice.

"In a funny way I do feel responsible for the failed investigation into Stephen's death because instead of lying and keeping quiet maybe I should have said something and things would be different now," he said. "I joined the police force in 1967 but the first time I spoke up about racism was in 1985. Unfortunately I have been vindicated but at the time people never took any notice of what I was saying until the death of poor Stephen."

"For that I am very sorry. The problem of racism in the police could have been seen much earlier if I had said something earlier and the recommendations could already be in place. This could have led to a different attitude from the police and maybe they would have investigated with more vigour."

"In a way it is my own fault because I kept it all to myself. I used to tell people everything was fine - I was lying, stom-



Norwell Roberts, second left, and Sir Paul second right

aching everything that happened because that was the only way I knew how to deal with it. Anyway, there was no one to help me."

When he told his boss that a police car had driven past him as he stood outside Covent Garden's Royal Opera House and an occupant had screamed racist abuse at him he was told: "What do you expect me to do?"

The former detective sergeant believes that Sir Paul genuinely cares about what is happening within the force but that maybe he did not take the situation seriously enough at the beginning. "When people began saying that officers investigating the murder were not doing enough and his officers were saying they were doing all they could I do not know if he made sure people were doing the right thing," Mr Roberts said.

"I don't think he took the criticism seriously enough at the

outset. It may be that officers told him not to worry and they were on top of it."

The whole thing has proved to be an embarrassment to the police force. It is sad for them and for the public who should have confidence in the police.

"There is nothing I could have done while an officer in the early days to change people's attitudes but maybe I should have tried. I don't know if I could have changed the racist views of the alleged killers but it would have made racism more of an issue in the police force."

Asked whether he should have been consulted by the Lawrence inquiry, he said: "I had absolutely nothing to do with the investigation and no one asked me to contribute to the inquiry; not the police, not the Lawrence family, not the inquiry chairman. I may have had something to offer but people thought I didn't."

Press freedom is not at risk

WHEN politicians and the press get worked up into a state of furious outrage, it is usually bogus. The leak of parts of the Macpherson report into the murder of Stephen Lawrence raises many serious issues, but freedom of the press is not one of them.

Jack Straw made a political mistake on Saturday, but the error was understandable and not heinous. If that was not apparent before yesterday's exchanges on the floor of the Commons, it was afterwards. Gerald Kaufman put the row into its proper context by arguing that "two legitimate positions" were in conflict - that of the press, in this case *The Sunday Telegraph*, wanting to print important news it had discovered, and that of the Home Secretary wanting to protect the publication of the report.

There was a lot of huffing and puffing about ensuring that such reports are first revealed to Parliament. But this convention is more breached than observed nowadays, despite the protests of Madam Speaker. Mr Straw himself is more punctilious about the rights of the Commons than



Peter Riddell ON POLITICS

most of his colleagues - in part because he spends more time in the House. But this is a poor point for ministers to make, given their generally poor record on leaking/briefing before making announcements to the Commons - a point Sir Norman Fowler and other Tory MPs repeatedly, and reasonably, made.

Mr Straw's real point was a special case, different in kind from the normal run of White Papers. Unlike the latter, the Government itself could not be "embarrassed in any way by the contents being revealed". Ministers would, he said, never resort to an injunction to stop publication of a White Paper or document which did not have national security implications.

In particular, the Lawrence report was the result of a judicial inquiry so, according to Mr Straw, "it would be no more acceptable to have a pre-

mature and incomplete account of its findings being revealed than it would be for the judgment of a court of law to be disclosed in this way". That is putting it rather strongly, but there are obviously special sensitivities in this case, both for the Lawrence family and the police.

But did such unusual circumstances justify the injunction? This was anyway only seeking to stop disclosure for a few days, so it was in no way comparable with the indefinite ban on *Spycatcher*. Nonetheless, this still conflicts with the right of the press to publish when it wishes to do so, subject to only very limited and special constraints. In the event, as often happens, the law is seldom as fast-moving as the press and the news was out, at least to some readers.

So Mr Straw looked both heavy-handed and clumsy and may now have a rougher ride in the press.

This fuss will soon be forgotten. The real worry ahead of Wednesday's statement is whether indignation will swamp judgment. The Metropolitan Police need to do a lot to change attitudes towards ethnic minorities, as most senior officers now well understand. But there is a serious risk that charges of "pernicious and institutionalised racism" will both produce a victim culture among young blacks and a defensive passivity among the police. That would be true racism.

What Londoners want is an active police force that pursues, and deters, crime regardless of the colour of the perpetrator and the victim.

Nation of Islam man convicted

By A Correspondent

A NATION of Islam member is likely to escape jail after being found guilty yesterday of attacking a police officer at the Stephen Lawrence inquiry.

Rasaki Yesufu-Muhammad was said to have been part of a "baying mob" that tried to storm the crowded hearing the day five men suspected of the teenager's killing were due to give evidence.

The 29-year-old care worker - wearing the black Islamic organisation's trademark dark suit, white shirt and red bow tie at the time - twice kneeled PC Stephen Dukamp in the face during an "explosion of violence" last June.

After he was found guilty, sentencing was adjourned and the judge told the defence counsel: "What I have in mind is a community service order."

The constable, whose col-

leagues had to use CS gas to control the violence, said he had been "extremely scared" and had ended up "black and blue".

Clutching a copy of the Koran as he stood in the dock at London's Southwark Crown Court, Yesufu-Muhammad, a politics graduate, showed no reaction when the foreman of the jury announced the 11 to one majority guilty verdict to one count of affray.

Adjourning the case for three weeks for reports, Judge Jeffrey Rucker told defence counsel Matthew Ryder: "In the extremely fraught atmosphere of that hearing that gave rise to this case, everything that has happened since and is still happening, it seems to me that it would be wrong to raise the temperature at all if it is possible to avoid it."

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THE TIMES TUESDAY FEBRUARY 23 1999

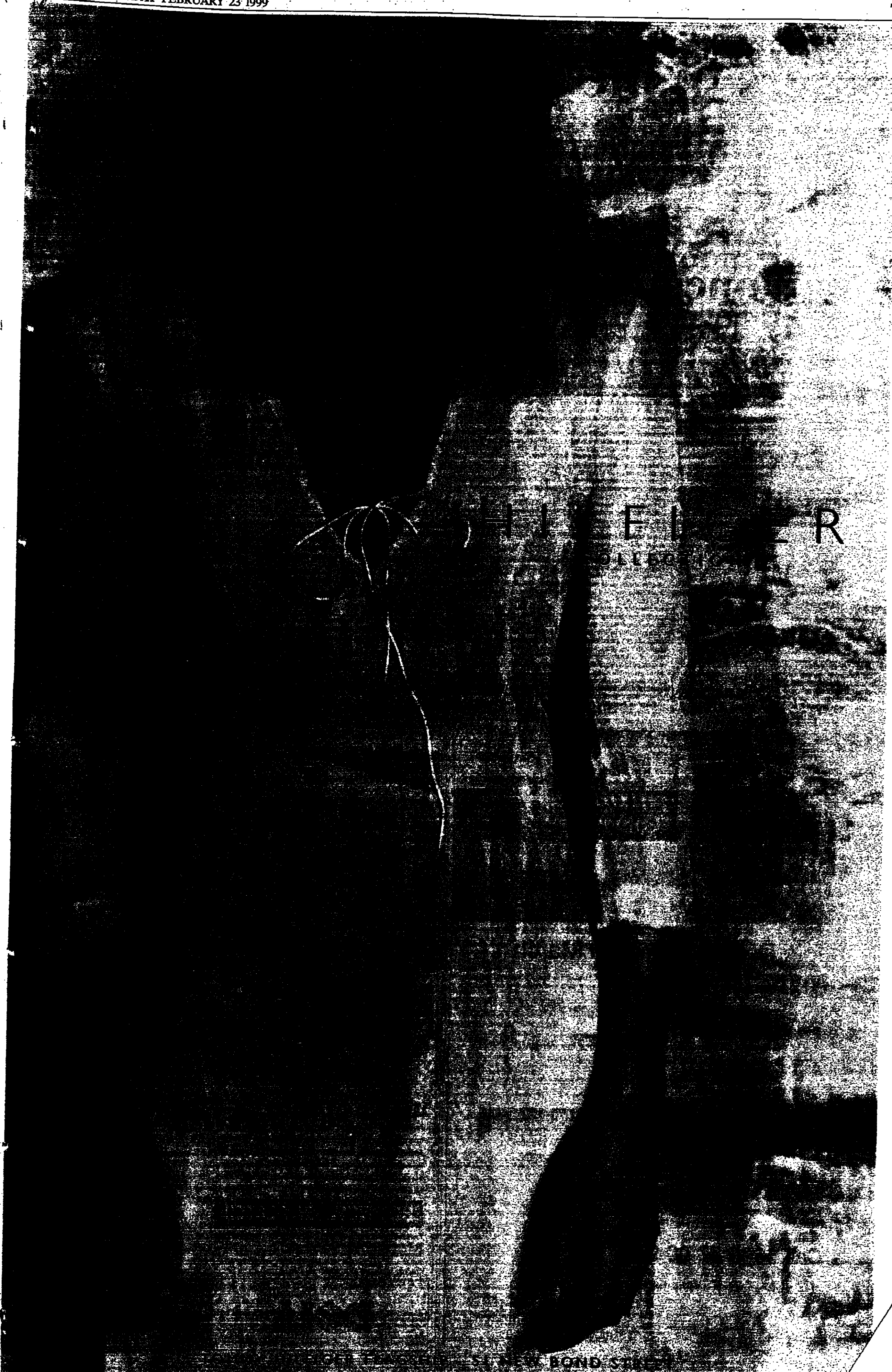
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Skiers in the dock 'for 999 call'

French prosecutor aims to make an example of men who got lost, reports Adam Sage

THREE British businessmen prosecuted by the French authorities for skiing off piste in the Alps claimed yesterday that they had been made scapegoats to calm public anger after a series of tragedies in the Alps.

Their claim came after René Ternoy, the State prosecutor, called for the three men to be fined Fr5,000 (about £540) each and be given three-month suspended prison sentences.

At a highly publicised hearing in Albertville in the French Alps, M Ternoy said: "These British subjects are accused of almost dragging the rescue teams to their death by skiing on a slope that had been closed by the mayor. They are extremely lucky to be alive."

Guy MacBride, 37, from Windsor, Jonathan Fairley, 38, from Marlow, and Paul Crowther, 34, from Willesden, North London, deny the charges of endangering lives through negligence on February 9 in Val d'Isère.

They told the court that they stumbled on to a forbidden Olympic piste by accident in poor weather and called for help using a mobile telephone when they realised that they were in difficulty.

"Basically, what happened is that we got lost, and now we are being prosecuted for making a 999 call," Mr Crowther said after yesterday's hearing. "I'm not sure that would happen in the UK. To say the least, we're surprised at the way things have worked out. It all feels very bad. We are three respected businessmen and family men and we are not the sorts to go deliberately risking our lives on a slope that has been closed because it is too dangerous. I think that we are being scapegoated."

He pointed out that neither the three defendants nor any of their rescuers had been hurt in the incident.

The hearing was marked by M Ternoy's determination to "make an example" of the



Paul Crowther, left, Guy MacBride and Jonathan Fairley, "three gentlemen straight out of the City", appearing in court to face charges of endangering lives through negligence

three as part of an effort by the French authorities to stamp out "irresponsibility" in the Alps. Feelings have been running high in France after a series of avalanches in resorts provoked by skiers who ignored safety warnings in the search for excitement. More than 20 people, including at least six Britons, have died in the Alps this year.

Yesterday rescuers were continuing the hunt for three French walkers who have been lost in the mountains above Albertville for a week. The three have a mobile phone but are unable to guide rescuers to them because they have no idea where they are.

French judicial authorities hope that publicised prosecutions will help to cut the alpine death rate. But the defence lawyer, Maurice Bodecher, said that the three defendants did not fit the off-piste stereotype of reckless youngsters.

Mr Fairley, a father of two, earns about £36,000 a year as European sales manager for a medical equipment firm. Mr Crowther, who is unmarried, has earnings of about £25,000 a year as a sales manager for a firm in the same business. Mr MacBride, a father of two, earns about £25,000 as sales and marketing manager for a tea importer. All three appeared in court yesterday in smart, dark pin-striped suits, sombre ties and short hair.

"These three gentlemen have come straight out of the City," M Bodecher said. "They do not have the style of those who go off-piste. They are responsible and down to earth."

Questioned by the presiding judge, Jean Pierre Beroud, the three said that they were average skiers who were on a week's holiday with 18 friends. With snow swirling around them and visibility down to a yard, they mistakenly took a downhill run used in the 1992 Winter Olympics in Albertville that had been closed on February 9 because of the bad weather. About 250 me-

tres down the slope "we realised we were in danger and we discussed what to do". Mr Crowther told the court: "We tried to walk up again but we couldn't."

Mr Fairley telephoned for help, prompting a rescue operation. Mountain rescue teams guided the three down by shouting instructions through a loud hailer from a ski lift. It took the three men 2½ hours wading through deep snow to reach safety, the court was told.

Mr Fairley said: "The rescuers said they would not come and get us. We had to come down on our own. We had no intention of going down that slope so we had no idea of the risks involved."

The three defendants have already paid back the £350 cost of the rescue operation.

M Ternoy said that the defendants must have known that the slope had been closed and survived only as a result of the rescuers whose lives had been put at risk.

"Do not accuse me of discrimination," M Ternoy said. "In January I had three French people condemned at this court for the same offence."

M Beroud said he would give judgment on March 29.

There had been talk of the avalanches in the Alps but there were no local warnings and the well-tended runs of the Mont d'Or area were all open. To avoid the crowds, some skiers, including myself, were venturing cautiously off

piste onto the virgin snow through the pine trees. In the late morning, on my way back up on a chair-lift through the Piquelette run, I watched a gaggle of young snowboarders set off a slide in a steep gully, off-piste right beneath the lift. They whooped with delight, oblivious to danger, as they skidded down with the moving snow.

At the same time, a few hundred yards away, a deep layer of snow suddenly peeled off an outcrop of rock above a stretch of "green" piste, the gentlest category of run. I did not see it, but by the time I reached the top, word was out. The snow had slid down into a gully onto half a dozen skiers on the green trail. Most extracted themselves, however, one 20-year-old woman, on a day out from a nearby town, had vanished.

Back at the village there

was no sense of alarm. The skiing carried on for another two hours and it was later reported that it had taken 45 minutes before the alert was given to the gendarmerie, with their dogs and search equipment.

Later in the afternoon the main lifts were halted and all hands were assembled to join the search for the woman and two boys who had also gone missing.

The boys later turned up. The woman was found after three hours under the snow. She died in hospital after suffering extreme hypothermia. Her distraught fiancé appeared on television threatening to sue the authorities for failing to prevent the avalanche.

Local instructors blamed freak conditions and the death did nothing to stop the slopes being packed again the next day.

Death is never far away – even on gentle slopes

Charles Bremner tells of avalanche on 'green' piste

IT IS easy to assume that skiers who die in accidents are foolhardy types who ignore warnings and venture off piste. But amid the freak weather of this month, I have been given a chilling glimpse of how easily disaster can strike on the most gentle of ski slopes.

The little resort of Metabief, in the French Jura, has been enjoying its best snow cover for years. The weather had turned mild and it was snowing wet flakes last Thursday morning as I vied for space on the slopes with crowds of French families on their half-term break.

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Local instructors blamed freak conditions and the death did nothing to stop the slopes being packed again the next day.

Two die as snow engulfs car and chalets

TWO people were found dead in a car and at least 16 are missing after avalanches swept Switzerland, Austria and Finland yesterday.

Harsh weather also trapped thousands of tourists and threatened floods across Western Europe.

In Switzerland, rescue teams found two young people dead in their car after nine chalets were swept away by avalanches that struck Villa and Le Sage in the southern canton of Valais late on Sunday. Eight people are missing. The heavy snowfalls caused transport chaos, with just one rail track operating on the Berne to Fribourg line.

Avalanches also swept eastern Switzerland, blocking roads and forcing the closure until Thursday of the Gotthard tunnel, the main north-south route between Switzerland, Italy and Germany.

Two people were missing after an avalanche hit a restaurant in the Austrian Alps yesterday, police said. Search efforts were hampered by severe weather conditions. Up to 30,000 tourists were blocked in ski resorts in western Austria due to heavy snowfalls, with maximum avalanche warnings issued.

On Saturday, some 100 tourists, including Queen Beatrix of The Netherlands and Princess Caroline of Monaco, were flown to safety by helicopter from the ski resort of Lech.

Eight people were missing after being swept away by an avalanche in northern Finland, police said.

In France, Chamonix was closed off because of the risk of avalanches. In the eastern region of Savoie, three mountain walkers were reported missing in snowstorms. Heavy flooding was reported in northwest Switzerland, Germany and parts of France. The Rhine was expected to reach record levels. (AFP)

Forecast, page 26



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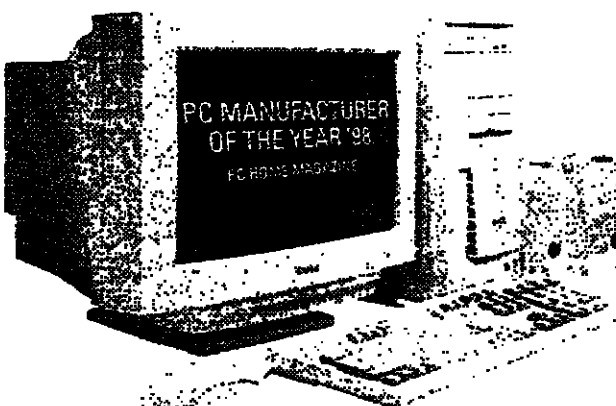
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IVF couples chosen by postcode

NHS rationing leaves 80% disappointed, Ian Murray reports

ONE in seven of all British couples seek help for infertility from the NHS, but 80 per cent of them are denied it, according to a report published yesterday.

The survey by the College of Health, an independent research institute, shows that IVF treatment on the NHS is becoming increasingly rare and varies widely across Britain. "Postcode rationing" is widespread because health authorities say that their main priority is the short-term reduction of waiting lists rather than funding infertility treatment.

The Royal College of Obstetricians and Gynaecologists has estimated that one couple in seven want children but are prevented by infertility.

Of these only 20 per cent are offered treatment on the NHS and the remainder either have to pay up to £4,000, adopt, or remain childless.

"Where you live still remains the most important deciding factor as to whether you receive funded treatment," said Clare Brown, president of the National Infertility Awareness Campaign. "Health authority spending on infertility services continues to be patchy and chaotic and there are huge differences in waiting times."

On average, authorities last year bought only 10.8 treatment cycles — the extraction, fertilisation and re-im-

plantation of individual eggs — per 100,000 head of population, even though a study sponsored by the Department of Health advised them to buy 40 per 100,000. The average is down from 12.7 cycles in 1997, and in some areas the fall has been steeper.

Wales cut funding from 23 cycles to 8.8, and in the South and West the funding level fell from 3.7 cycles to 0.3. Scotland continues to fund more than any other area but last year's level of 21.5 cycles is down from 27.5 in 1997. No IVF treatment is available on the NHS in Northern Ireland.

In the London region there are just under ten cycles per 100,000, down by one cycle. The only region where there has been a significant increase is Oxford and Anglia, where the number of treatment cycles grew over the year from 13.6 to 21.3.

Waiting times also vary greatly. One authority has a waiting time of one to two weeks, while others report delays of up to three years. More than half the authorities have a waiting time from referral to treatment of more than a year and have treatment waiting lists of up to four years.

Eligibility for IVF treatment is becoming more uniform, and many au-

thorities will not pay for treatment if the couple already have children. Most authorities will only fund treatment for two cycles, although the chance of conception from one cycle is only 25 per cent.

With most authorities calling for centralised guidelines on provision and funding of IVF, Frank Dobson, the Health Secretary, is expected to commission a nationwide survey of fertility treatments. The Royal College of Obstetricians and Gynaecologists is to produce guidelines later in the year on which couples are most likely to benefit from treatment.

Postcode lottery, page 16
Leading article, page 19

Umbrella helps balloonists to keep their cool

By CHRIS HAMILTON

THE British round-the-world balloon crew pressed a rusty piece of equipment into use while they clung to the outside of their craft carrying out repairs.

Andy Elson and Colin Prescott, the two pilots of the *Cable and Wireless* balloon, used a black umbrella as a parasol as they worked 8,000ft above the heat of the Sahara desert. They were repositioning solar panels on their capsule in a hull before they entered the jet stream yesterday.

After nearly six days of being stuck at low levels, slowly drifting south over West Africa, the two men found the right spot to begin an ascent to 24,000ft over Mali. They are now picking up the north-easterly winds that will propel them at up to 100mph towards India.

The jet stream is crucial in enabling them to travel around China, which has banned the team from entering its airspace.

Mission control said that

the manoeuvre was "timed to perfection" over Mali as the pilots used the sun's heat, instead of valuable fuel, to expand the balloon and gain altitude.

Ian Astpole, the London-based flight director, said: "We are extremely happy with the results of this crucial manoeuvre. We have spoken to the pilots, who are happy and relaxed. We couldn't have hoped for this part of the flight to have gone any better."

The balloon, which took off from southern Spain last Wednesday, is scheduled to arrive in Indian airspace on Friday. From there the next difficult stage will be trying to follow a low and slow route around the south of China. The crew have already had to head southwest before doubling back on themselves and travelling northeast to avoid China.

The Beijing authorities' refusal to grant them permission will add seven days to a journey that has already defied several teams.

All British balloons were banned from Chinese airspace after Richard Branson's attempt during his round-the-world attempt in December. It was a similar refusal by the Chinese that put paid to Mr Elson's last round-the-world attempt on board the *Breitling Orbiter 2* balloon last year. (PA News)



Andy Elson carrying out repairs outside the capsule of his balloon above the Sahara

NEWS IN BRIEF

Army's landmine stocks destroyed

The Army's stock of anti-personnel landmines has now been destroyed. In a symbolic gesture, George Robertson, the Defence Secretary, gave deactivated mines to the British Red Cross, the Halo Trust, the Mines Advisory Group, Care International and the Imperial War Museum.

Mr Robertson told the charities, which campaigned to clear the weapons: "No British soldier will ever again lay an anti-personnel mine."

The RAF's mines will be destroyed by the end of the year. The Army had about two million anti-personnel landmines. Mr Robertson said he hoped that their accelerated destruction would send a "clear and concrete message" to nations that had not signed the Ottawa Treaty, which bans the production, trade and stockpiling of the mines.

Charge derailed

A privatised train company has been ordered to drop its surcharge for telephone ticket sales and to refund affected passengers. Great Western Trains was told by Chris Bolt, the Rail Regulator, that the charge breached its licence.

Save our souls

Ten people locked in St James's Church, Badsey, Worcestershire, after their meeting ran late were released after one had the idea of ringing SOS in Morse code from the bell tower, which was heard by a passer-by.

MoD pays out

Ian Bannister, 29, of Broadfield, West Sussex, a former soldier who claimed he developed schizophrenia after being injured by hand grenades, accepted damages to settle his High Court action against the Ministry of Defence.

Searching role

The actress daughter of George Walker, the former Brent Walker tycoon, is to join the cast of *EastEnders*. Romla Walker, 28, will play a woman looking for her sister, Saskia Duncan, who was killed on Valentine's Day.

Pigs abandoned

RSPCA officers have used nuts as bait to capture eight Vietnamese pot-bellied pigs roaming a dense wood at Tip-top, near Colchester, Essex. More than 20 of the once-popular pets may have been abandoned in the area.

Viking treasure

Archaeologists have made the first find of Viking gold in Britain. A 1cm by 5mm ingot was found under a 17th-century cellar floor at the New Millennium Library in Norwich. It is expected to go on show at Norwich's Castle Museum.

Football disaster memorial agreed

By PAUL WILKINSON

A MEMORIAL to the victims of the 1989 Hillsborough disaster is to be erected at Sheffield Wednesday's ground.

Until recently the club had avoided discussing the idea with relatives of the 96 victims. As a potential defendant in a possible damages claim by the families, officials felt the issue might become too sensitive.

However, an agreement in favour of a memorial has been reached between Sheffield Wednesday, Liverpool FC and the Hillsborough Family Support Group. The exact design and position are still being discussed.

The memorial, which the Sheffield club is likely to fund, is expected to be placed in a prominent position by the main entrance, on the south side of the ground.

Liverpool fans were crushed to death in a crowd surge at the Hillsborough Stadium on April 15, 1989, at the start of an FA Cup semi-final against Nottingham Forest.

GP pays £700,000 over missed illness

By IAN MURRAY, MEDICAL CORRESPONDENT

A PREGNANT woman who collapsed after a blood vessel in her brain burst was awarded £700,000 damages yesterday against the GP who failed to find out what was wrong with her despite six examinations in three weeks.

Louise Greenaway, 28, had also been seen by two other doctors before she collapsed. She has been unable to work since and suffers memory loss.

Miss Greenaway, from Plymouth, was five months pregnant with her second child in September 1990 when she called out a locum doctor because she was suffering from blackouts, vomiting, headaches and sensitivity to light. The following day she went twice to see her GP, William

Houston, but he made no diagnosis. She returned to see him the following day but again there was no diagnosis.

Five days later she collapsed with a severe headache and sickness and another deputising doctor diagnosed a virus. Miss Greenaway went to her doctor three more times during the next ten days. After the last visit she was found unconscious and paralysed in a telephone box.

She had to undergo extensive neurosurgery and it was ten months before she was discharged, during which time her daughter had been born. The settlement was reached without admission of liability and approved by the High Court yesterday.

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Maginnis offers 'wriggle room'

Omagh police question Mackey

BY MARTIN FLETCHER

A REPUBLICAN councillor from Omagh was last night being interrogated by police investigating the bomb that killed 29 people in the Co Tyrone town last August.

The RUC arrested Francis Mackey at Omagh's Tyrone and Fermanagh hospital, where he works as a psychiatric nurse, and searched his house. Mr Mackey is chairman of the 32 County Sovereignty Committee whose paramilitary counterparts in the Real IRA carried out the bombing.

Police officers and soldiers arrested three others and searched homes in a major operation in South Armagh, where the car bomb is believed to have been built.

The committee claimed Mr Mackey's arrest was an attempt to silence republican opposition to the Good Friday agreement. His son was one of 42 people questioned by police in the immediate aftermath of the bomb but subsequently released without charge.

Two other men from South Armagh were arrested on Sunday. Two of the five men arrested south of the border by the Irish police on Sunday were released yesterday.

Mackey: one of four men detained by RUC

PAUL FINCH/PA



Ken Maginnis, whose offer to break the deadlock in the peace process came despite experiences giving him every reason to detest Sinn Féin

Unionists prepared to allow Sinn Féin leeway on timing of IRA disarmament, writes Martin Fletcher

A LEADING Unionist moved to break the deadlock in Northern Ireland's peace process yesterday by saying his party was prepared to allow Sinn Féin "wriggle room" on the timing of IRA disarmament.

David Trimble's Ulster Unionist Party has until now insisted on a downpayment of weaponry before Sinn Féin could be admitted to government. But Ken Maginnis, the UUP's security spokesman, said that the two could happen concurrently provided there was an agreed and unbreakable timetable for achieving total disarmament by June 2000.

This opens the way for a possible compromise whereby neither side is seen to have "won" the showdown over decommissioning. The sort of cast-iron guarantee the UUP would require could be underwritten by General John de Chastelain, head of the international disarmament body, or even President Clinton who will host the Province's political leaders at next month's St Patrick's Day celebrations in Washington. "What we have to achieve is total decommissioning and a total commitment to decommissioning on a timescale that society can understand; that alleviates the fears of society, and that's definitive. It has to have a start, a continuing process and an end," Mr Maginnis said.

"Progress has to be by an agreement that is somehow underwritten, where there is absolute certainty," he said. "It is the absolute certainty of achievement, not the methodology, that preoccupies my party." Mr Maginnis appeared to be helping Sinn Féin to sur-

mount this last great hurdle in the peace process, even though he has every reason to detest them. He still vividly remembers the IRA killing the first of his friends and Ulster Defence Regiment colleagues in 1971.

The gunmen came for Dennis Wilson, a farmer with whom Mr Maginnis had been at school, while he lay in bed with flu. "It was the first reality of how deadly this violence was going to become," said the 61-year-old former teacher who joined the UDR the day it was formed in 1970.

Cormac McCabe, a fellow teacher and UDR company intelligence officer, was next. He was visiting a Co Monaghan hotel with his wife and handicapped daughter when the IRA seized and shot him.

Harold Sinnamon, Mr Maginnis's company sergeant-major, was killed by a bomb while patrolling. "I remember him saying to me after Cormac McCabe's death: 'You know, Ken, I have a great fear that before this trouble there will not be a family in Northern Ireland left untouched by violence,'" Mr Maginnis said. "Twenty-five years on he is very close to the truth." The IRA has murdered "literally dozens" of Mr Maginnis's friends in the UDR and the police, nearly 200 of his constituents, even former pupils and members of his church.

Mr Maginnis has himself been targeted a dozen times. Surviving had become "a way of life," he said with unconscious irony. For years he has made his movements unpredictable, searched beneath his car and taken all the usual precautions.

When Gerry Adams first led

Sinn Féin into the Stormont peace talks 17 months ago he publicly labelled them "unreconstructed murderers," and still believes their commitment to — and understanding of — democratic politics is skin deep. But he is far from the biggest, intransigent Ulsterist of popular mythology. The only thing he is truly fanatical about is rugby.

He insists he is bound to pursue every chance of securing lasting peace. "I wouldn't be part of the process at all if I did not believe we have to find an opportunity, however irksome and repugnant it may be, for those of us who have been victims or friends of victims, to get beyond the pointing of guns at each other," he said.

A downpayment of IRA weaponry was essential because "it would indicate that right at the heart of militant republicanism they have crossed the psychological barrier". It would be a "breaking of the mould" and if the IRA sought subsequently to rearm "they

would become pariahs as never before". Mr Maginnis refused to quantify the downpayment required, but said it had to be "meaningful and indicate there can be no turning back". Twenty rifles, for example, would clearly be unacceptable.

The UUP would not require that the weapons be destroyed publicly, as previously suggested. It would accept the word of General de Chastelain that they had been decommissioned. Mr Maginnis accepted

Mr Adams could not deliver IRA disarmament alone, but believed that if Martin McGuinness, Pat Doherty, Martin Ferris and other top republicans began acting as persuaders the IRA could be bought round.

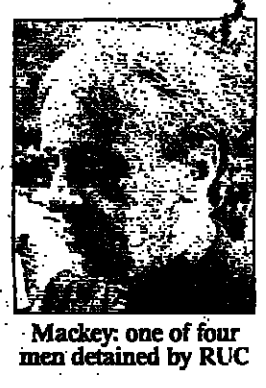
At present he saw no sign of that happening, and said Sinn Féin's leaders were violating their Good Friday commitment to "use any influence they may have to achieve the decommissioning of all paramilitary arms". Mr Maginnis

believes international opinion will eventually force republicans unequivocally to renounce violence, though perhaps not in the immediate future. When that happened he would feel obliged to "accommodate and integrate them back into society". For now, he still refuses to shake their hands. "I'm not into these superficial gestures," he said.

"I have not seen the bargain that's worth a handshake, and actual friendship would be very difficult to put it bluntly."

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Mackey: one of four men detained by RUC

PAUL FINCH/PA

Tony's cronies stay at home

MANY life peers appointed by Tony Blair to boost Labour's numbers in the Lords are failing to turn up and vote for the Government. A *Times* survey shows that more than half of the 55 Labour peers appointed by the Prime Minister since the election have missed more than a third of the votes they could have attended.

One wealthy Labour peer and party donor — the industrialist Lord Haskins — has not bothered to vote at all since being raised to the peerage last summer. However, some recent arrivals — such as Baroness Rendell of Babergh, the crime writer, and Lord Alli, creator of Channel Four's *The Big Breakfast* — have been more regular attenders.

Mr Blair is now planning to appoint another 50 new Labour peers — once their hereditary colleagues are gone — to

Blair's new life peers are failing to turn up and vote, writes James Landale

equalise numbers with Tory life peers. Voting will be much closer in the transitional chamber and Labour will have to rely on peers turning up to win divisions.

All but a handful of the Labour appointees were given working peerages, which meant they were supposed to be more active than those given titles in the honours list.

The new life peers make up almost a third of Labour's 176-strong team and their votes are crucial. The Government has already suffered 42 defeats this Parliament, more than was suffered by the Tories in any comparable period in their last term of office.

Although Labour almost always blames Tory hereditaries for the defeats, several of

the divisions could have been won if the new life peers had turned up. Many of Labour's veteran life peers are elderly and unable to vote often.

The Labour can do little to persuade peers to vote. Although the peers are told very clearly when appointed that they must be prepared to put in the hours, many of them have full-time jobs outside Parliament. Few are willing to give up scarce free evenings to hang around the Lords waiting for a vote.

The conclusions come from an analysis of voting records during the first 18-month session of the current Parliament, from May 1997 to November 1998, during which 179 divisions took place. Peers have voted only four times since the

new session of Parliament began with the Queen's Speech last October.

The analysis does not include six new Labour peers, such as the former ministers Lord Shore of Stepney and Lord Hattersley, who were appointed by John Major in the former Prime Minister's dissolution honours list.

The worst attender, Lord Haskins, chairman of Northern Foods, has not voted in any of the 25 divisions since he was made a working peer last summer. He was unavailable for comment yesterday.

Lord Simpson of Dunkeld, chief executive of electronics giant GEC, has voted just six times out of a possible 160 divisions since his ennoblement in August 1997. He said he regret-

ted his absence but insisted that his work at GEC had to come first. "If you are running one of the biggest companies in the UK, it takes time. But it is my intention to spend more time in the Lords the moment things settle down here."

Lord Sheppard of Liverpool, the former Bishop who was ennobled at the end of 1997 and sits on the Labour benches, has voted only six times out of a possible 107. Lord Sainsbury of Turville, the Science Minister and Labour donor, has voted only 38 times out of a possible 165.

Lord Brookman, the retiring general secretary of the Iron and Steel Trades Confederation, has voted just four times out of a possible 16 divisions since becoming a peer

last summer. Lord Renwick of Clifton, the former Ambassador to the United States, has voted only 43 times out of a possible 165 divisions — he has a full-time job at the merchant bank Flemings.

The best attender is Lord Sawyer, the former Labour Party general secretary, who has missed only two votes since being raised to the peerage last summer.

Middle-rank attenders include Lord Putnam, the film producer, who has voted 37 times out of 163 divisions, and Lord Bragg, the author and presenter, who has voted 12 times out of a possible 25.

Mr Blair has already created 101 new peers in only 18 months of government, a rate of patronage unmatched by any other Prime Minister. Margaret Thatcher created 205 in 18 years of government.

LABOUR'S MARGINALS

Worst voting record: (percentage of votes attended)	Best voting record:
Lord Haskins, chairman of Northern Foods and Labour donor.....0	Lord Sawyer, former Labour general secretary.....93.5
Lord Simpson of Dunkeld, chief executive of GEC.....3.7	Lord Ahmed, a business development manager and Yorkshire Labour party grandee.....93.5
Lord Sheppard of Liverpool, former bishop.....5.6	Baroness Gouldie, long-standing Labour member and independent public affairs consultant.....91.3
Lord Sainsbury of Turville, Science Minister and Labour donor.....23	Lord Bades, barrister and Labour apparatchik.....91.3
Lord Brookman, outgoing general secretary of the iron and steel trades confederation.....25	Lord Clarke of Hampstead, former deputy general secretary of Union of Postal Workers.....90.3
Lord Renwick of Clifton, former ambassador to the US.....26.1	Baroness Rendell of Babergh, crime writer.....88.3
Lord Bragg, the author and presenter, who has voted 12 times out of a possible 25.....26.1	Lord Hunt of Kings Heath, whip.....88.2
Lord Putnam, the film producer, who has voted 37 times out of 163 divisions, and Lord Bragg, the author and presenter, who has voted 12 times out of a possible 25.....26.1	Lord Alli, managing director of Planet 24 Products Ltd.....85.7
Mr Blair has already created 101 new peers in only 18 months of government, a rate of patronage unmatched by any other Prime Minister. Margaret Thatcher created 205 in 18 years of government.	Lord Hughes of Woodside, former Labour MP.....85.2
	Lord Falconer of Thornton, Minister of State at Cabinet Office.....83.6

Wakeham says public must have say on Lords reform

By JAMES LANDALE
POLITICAL CORRESPONDENT

THE Royal Commission on Reform of the House of Lords looks set to take evidence in public despite government fears that the move will prompt unnecessary delays. Lord Wakeham, the commission chairman, told peers yesterday that he wanted his 12-strong body to seek the "widest possible range of views" in written and oral evidence "as well as in public hearings". The former Tory Cabinet minister admitted that such a decision was technically for the commission which meets for the first time on March 1.

But he insisted: "I would want to be as open and forthcoming as possible. I expect the commission's work to take place in the context of a vigorous public debate." The announcement came during the first session of a marathon two-day debate into the Government's White Paper on Lords reform which was published in January. More than 100 peers have put their names down to speak in the debates which are expected to last late into the night. Lord Wakeham's remarks will dismay some ministers who privately believe that pub-



Wakeham wants to hold public hearings

lic hearings would waste precious time. The Government has set the commission an unprecedented deadline of publishing its report before the end of the year.

Baroness Jay of Paddington, the Leader of the House of Lords, told peers that this was a "demanding schedule". But, speaking before Lord Wakeham, she argued that the issues had been extensively discussed for more than 100 years.

"These issues are intellectually and politically challenging but we know what they are and we know what the options for addressing them," she said. "There is no need for

a long period of primary research. The Royal Commission can move almost immediately to analysis and recommendations."

Lord Wakeham, speaking publicly for the first time since his appointment last month, said he had the "greatest respect" for the contribution which the current House had made to the nation.

"I am conscious of the service given by your Lordships by whatever route we have arrived here," he told peers. "The task of the Royal Commission in the new circumstances of today is to propose a way forward, taking what is good in the present arrangements and to make suggestions for its future."

He added that the Government was currently introducing "a more profound set of constitutional changes" than at any other time this century. "One of the challenges facing the Royal Commission is to find a way for this House to play a distinct and significant role complementary to that of the Commons, within the new constitutional arrangements," he said.

Lord Strathclyde, the Tory leader in the Lords, urged peers to vote today for a symbolic amendment arguing against a cut in the powers of

the second chamber. The amendment also demanded that the Lords kept its independence and ability to scrutinise legislation and hold the executive to account.

He said: "Parliament is the vessel in which the liberties of the people are cradled and protected. Shatter that vessel, weaken that protection and the ability of the ordinary person to stand up against all the petty tyrannies of the executive will be reduced."

Lord Strathclyde said the Lords should be "strong and independent minded" and a chamber that was "not a simple rubber stamp, but one that could hold the executive to account."

Lord Rodgers of Quarry Bank, the Liberal Democrat Lords leader, said his party was "very sympathetic" toward the Tory amendment but would not back it.

Tory Chief Whip, attacks of the Government's "piecemeal" proposals but also criticised his own party's "inertia" in its approach towards reform.

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Thousands flee new Serb onslaught

FRESH fighting in Kosovo displaced more than 4,000 ethnic Albanian civilians yesterday as Serb special police and army units backed by tanks and artillery clashed with separatist guerrillas of the Kosovo Liberation Army (KLA) about 20 miles north of the capital, Pristina.

Serb troops and armoured columns pushed westwards out of Vucir, along the strategic Pristina to Mitrovica highway shortly after dawn, leaving Western observers from the Kosovo Verification Mission stranded at a checkpoint with the implausible explanation that the units were "going on exercise".

They moved fast through the ethnic Albanian villages of Stitara and Doljak, having shelled them first, before encountering heavier KLA opposition. Three other villages were later hit.

Infantry clashes and shell-fire lasted throughout the morning before the Serbs withdrew, leaving the landscape a grimy familiar vista of smouldering houses crisscrossed with columns of miserable refugees.

"You see? They cannot interrupt the war in Rambouillet, it is going on even today," said Luli, an English teacher from

**Anthony Loyd
in Stitara
sees civilian
misery as KLA
claims a victory**

Okrastrica, one of the villages shelled. He was clinging to the side of a cart at the head of a column of about 400 ash-faced women and children. They were escaping through the mud and slush of the winter war to an uncertain future in Mitrovica.

In Stitara, Sabri Pllana, a 40-year-old Albanian, hid in the cellar with two of his family as Serb special police torched his home. "They came

here at about ten o'clock," he said among the smouldering ruins. "I suddenly heard tank fire then saw the fields full of soldiers and police. There was shooting everywhere, so I hid with my cousins. They burned part of my house and destroyed everything else."

"If Rambouillet doesn't work it'll get even worse," he added, walking through a garden littered with smashed glass and the looted belongings that the Serbs threw out of the windows. "I didn't do anything to anyone, and look what has happened. It is a taste of what is to come."

On a high plateau west of Stitara, the KLA were celebrating victory. Dozens of fighters, laden with weaponry, faces green and black with warpaint, regrouped from their clashes under the auspices of their zone commander, Rahman Rama.

"The Serbs encircled us with tanks on the ridges, then pushed in with their infantry," he said. "We fought them for three hours and forced them to withdraw before they had even got near our positions. Don't cry for us this day."

For the Albanians who fled their homes, many of whom were in tears, the initial official Serb communiqué that re-



Fluter Pllana, 18, weeps outside her uncle's smouldering home in Stitara which was destroyed yesterday when Serbian forces raided the village

ferred to the offensive as an exercise — a frequently-used ploy — produced little reaction but rage. "They say they are having their military exercises, then go out on exercise and attack people and blow up their homes," said Bejullah Mehollu in Stitara. He was

waiting for news of three of his cousins who had been seized by Serb police two hours earlier. "They are doing this to a miserable people. We have nothing, and they attack us with no reason. It's about the tenth time this area has been attacked in a year. I feel very

insecure. This is something that shows this regime knows nothing but violence."

Later, the Serb explanation for the attack changed. A police convoy had been ambushed outside Vucir, the new account said, and Serb forces were forced to pursue

KLA units through the villages. It is not inconceivable that this was the truth. The KLA, more confident by the day, has been pushing forward along the Mitrovica to Pristina road, and the presence of police could have provoked shooting.

29, an ethnic Albanian with a reputation as a fighter, not a politician, has been named overall commander of the KLA, an Albanian-language daily newspaper reported. However, this still left the structure of the KLA shrouded in mystery. (Reuters)



Nato unsure of next move if talks end in stalemate

BY MICHAEL EVANS, DEFENCE EDITOR

NATO was bracing itself yesterday for an inconclusive end to the Kosovo peace talks at Rambouillet, making it impossible to go ahead either with airstrikes against Serbia or with the deployment of an alliance peacekeeping force in the Yugoslav province.

The planning for both military options is complete, but NATO diplomats admitted that the worst outcome from the talks would be a partial agreement by both sides which left unresolved the role that alliance troops would play in implementing a settlement.

With Serb and ethnic Albanian delegations refusing to give way on key issues, some NATO diplomats said they felt that the airstrike option was now more likely than the deployment of troops to Kosovo.

However, Javier Solana, NATO Secretary-General, who already has the "technical" authority to order airstrikes, would need to consult Presi-

dent Clinton and every European leader before taking such action, alliance diplomatic sources said.

One senior NATO diplomatic source said that even if both sides refused to sign a full peace settlement, provided it could be shown that Belgrade was principally responsible for the breakdown, airstrikes against Serbian targets would be justified. For this argument to be approved, the "big four" in the alliance — the US, Britain, France and Germany —

would have to agree in order to carry the other NATO members.

The NATO sources said that even if there was consensus for airstrikes, there would be a difference of view about the scale of attacks. While Washington appeared to want all-out air raids on multiple targets, others might prefer a limited strike using only cruise missiles, at least in the initial stages.

NATO's North Atlantic Council is to meet today but, even if the final deadline at Rambouillet passes without a successful outcome, there is no expectation that the alliance will order immediate airstrikes.

The sources said that Señor Solana would need at least two days to consult all the NATO leaders. The only positive aspect arising from the extended talks at Rambouillet is that NATO has had slightly longer to prepare for the possibility of a peace-keeping operation in Kosovo.

Conference on edge of collapse

Rambouillet: The peace talks were near collapse last night as serious rifts surfaced within the Albanian delegation, whose KLA representative refused to drop demands for a referendum on independence (Tom Walker writes).

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Farmers clash with riot police over barbed wire during yesterday's skirmishes in Brussels that left ten officers injured

Frantic farmers in battle for EU cash

THE European Union area of Brussels seemed like a war zone yesterday as up to 40,000 farmers from all the Union's member states protested against plans for the biggest reform in the common agricultural policy since the subsidy system was launched in 1962.

To the din of police helicopters and exploding fireworks and rocket flares, the French-led army of farmers was held in check by razor-wire barricades manned by 5,000 Belgian riot police, equipped with batons, teargas, water cannon and two armoured cars. Ten police officers were slightly injured and 12 protesters were arrested in skirmishes with the police, the scale of whose operation was deemed by the farmers to amount to provocation.

French farmers, numbering about 25,000, dominated the march. The next biggest contingent was of 11,000 Germans, according to organisers, who put the total at about

Charles Bremner in Brussels watches 40,000 vent their fury as the Union plans its CAP reform

40,000, in contrast to the police estimate of about 30,000.

Agriculture ministers, starting a five-day meeting to revamp the EU's £30 billion annual farm budget, were left in peace as the police channelled marchers through the deserted streets of the district that is home to the EU's institutions. Shops were closed, traffic was stopped and tens of thousands of EU civil servants stayed at home for the day, turning the area into a ghost town.

The protesters, including Bavarians, Danish dairy farmers and belligerent French peasants, were all intent on conveying their fury and anguish over reforms that they say will put tens of thousands of farms out of business

across the EU. The sea of rural workers included a handful of British farmers gathered behind a solitary Union Jack and led by Ben Gill of the National Farmers' Union.

As French, Italian and Belgian farmers detonated their traditional fireworks, Mr Gill set out the moderate position of British farmers. "We do accept that reforms are necessary, but we must do them in an organised way that does

not mean that tracts of British agricultural land are hit," he said. His words contrasted with apocalyptic language from the French, Spanish and others who were predicting civil mayhem if their governments acquiesced in a reform that is due for the first time to cut the cash flow that takes up half the EU's annual budget.

"Santer murders farmers", said one banner, referring to Jacques Santer, President of the European Commission. "CAP is the Titanic of the peasants", said another. Standing in a squall of sleet, one central France beef farmer said: "We will never accept American-style agriculture in Europe."

While the farmers vented their wrath, ministers girded themselves for one of their toughest negotiations. Though there is universal acceptance of the need to rein in farm spending, wide differences separate the states, with

France playing the role of the most recalcitrant, followed by Spain. For the first time, France and Germany are at loggerheads in the effort to find ways of halting the endless expansion of largesse to a sector that accounts for only 3 per cent of EU income.

Germany, which holds the rotating EU presidency and is now run by a less farm-friendly Social Democrat Government, last night tabled a proposal for compromise aimed at achieving cuts of up to 30 per cent in guaranteed food prices. Bonn has enraged Paris with its determination to cling to a scheme, accepted by most other states, for handing responsibility for part of the farm aid to governments. This so-called "co-financing" would help to satisfy Germany's demand for a big cut in its annual £8 billion net contribution to the EU budget. The farm pack-



Farmers run with firecrackers during protests in Brussels yesterday to demonstrate their anger at moves to slash subsidies under the common agricultural policy

Russians drink to their red nose day

FROM ANNA BLUNDY IN MOSCOW

PRESIDENT Yeltsin distributed awards and praise to senior military men and security chiefs at a Kremlin ceremony yesterday to mark Defenders of the Fatherland Day.

The ceremony was held on the eve of the favourite national holiday of all self-respecting Russian males. A festival once known as Red Army Day, February 23 has long been a once-yearly excuse for women to give presents and for men to drink.

Once a source of great pride, the Russian Army has fallen on hard times, amid a constant catalogue of abuse of conscripts, suicides and accidents. The Army can now barely feed itself. Over the past year, 14 generals have received jail sentences for corruption and abuse of power, and 16 still face charges. But the holiday is still taken extremely seriously by the military.

And, we ask, what do men like? "Vodka," says Lyudmila Klyzhenko, a music journalist.

A favourite Red Army Day joke is: "Do not tease the drunkard about his red nose, for it is the same colour as our red flag."

Andrei Pionkovsky, a political analyst, has created a present wish-list for Russia's most important ex-servicemen: for Boris Yeltsin, the ability to play tennis one last time; for Yevgeni Primakov, the Prime Minister, an improved relationship with the press; for General Aleksandr Lebed, a cool head on his shoulders; for Yuri Luzhkov, Mayor of Moscow, Sevastopok; and for Gennadi Zyuganov, the Communist leader, the ability to become President without democratic elections.

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Senate rival goes for Hillary's jugular



Cover girl: Time speculates on Hillary Clinton's future public career

HILLARY CLINTON's most likely opponent in a race for the Senate has given a warning of the rough reception waiting for her in New York by indicating that he would put her views on a Palestinian State at the heart of a ferocious campaign.

After the impeachment trial, with President Clinton's political position secure but the end of his term of office in sight, excitement over his wife's possible public career has reached fever pitch with both *Time* and *Newsweek*. But Rudy Giuliani, the Mayor of New York, has jumped quickly to position himself for the fight, denouncing Mrs Clinton's public comment that Palestinians should have their own state as "a very big mistake". He added: "If she's the candidate, obviously it would be an issue and it would be one that people would have to explore."

Mrs Clinton caused a furore last year when she said it was in the "long-term interests of the Middle East for Palestine to be a state". This departed

Giuliani attacks Mrs Clinton for her views on Palestine state, writes Damian Whitworth

from the official Clinton Administration line that statehood is a matter for the Israelis and Palestinians to work out for themselves. Mr Clinton's spokesman had to say that he did not share his wife's view and she ignored questions on the subject when she visited Israel, Gaza and the West Bank in December. "By one of the most influential people in the Clinton Administration," says "Palestinian State", in essence you have given that away without being able to shape it, and you basically side with the Palestinians against the Israelis," Mr Giuliani said.

He was full of smiles in the many television interviews he gave, but such sharp criticism even before either side has declared suggests that the man who cleaned up the streets of Manhattan is relishing the chance of getting his hands dirty if Mrs Clinton steps on

his turf. Ed Koch, the former New York Mayor, said it was ridiculous of Mr Giuliani to attack Mrs Clinton on the issue, but said it "shows you how low a blow he is willing to strike".

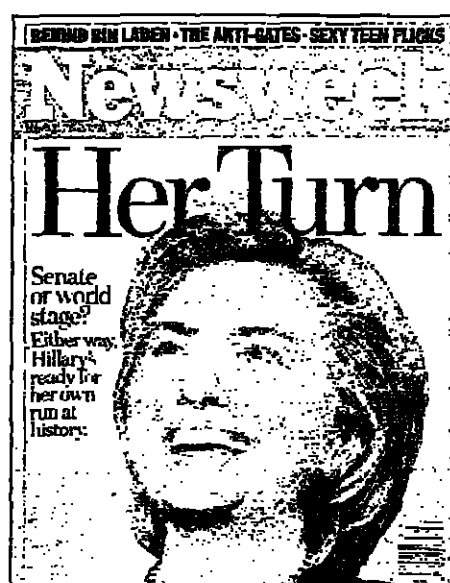
Mr Giuliani has yet to commit himself to running for the seat being vacated by Daniel Patrick Moynihan, the veteran Democratic senator, but is widely tipped to be the Republican candidate. While supporters of Mrs Clinton claim that she would be unbearable, Mr Giuliani said that he would be more likely to run if she does. "It would be the most focused-on race in the country," the Mayor said.

He said the result would be close, dismissing a *Time/CNN* poll that suggested that Mrs Clinton was favoured by 52 per cent to his 43 per cent. The poll also indicated that 43 per cent of respondents agreed with Mrs Clinton's

views on a Palestinian State, 24 per cent disagreed and 32 were unsure. Of the large Jewish population in New York, half disagreed with her view.

Nevertheless, Mrs Clinton will be heartened that 62 per cent of those Jewish voters opposing her view said it would not be enough in itself to make them vote against her. Mrs Clinton said last week that she was seriously considering running but a final decision was months away. She has a team of consultants and advisers examining the pros and cons of a race.

Mr Clinton has said he thinks she would be a "terrific" senator, but has warned her to take time to think about it. She would face fierce treatment from the New York press as well as her political opponents. There is also a feeling that much of her popularity can be put down to sympathy with her over the ordeal of her husband's unfaithfulness. Senior Republicans believe that despite her high approval ratings, she is a polarising force, loved and loathed in equal measure.



Head girl: Newsweek tips her for roles in Congress or on the world stage

Man with new hand gives his doctors the slip

FROM IAN BRODIE IN WASHINGTON

THE world's first recipient of a transplanted hand has put his new limb in jeopardy by disappearing, according to his doctors. Clint Hallam, 48, a New Zealander with a history of fraud, has made no contact since early last month with the surgeons who performed the 13-hour operation last September in Lyons.

He was supposed to continue with physiotherapy and a monitored regimen of drugs to prevent rejection of the right and he received from an unnamed Frenchman who had been in a motorcycle accident.

Post-operation publicity drew attention to Mr Hallam's past and allegations that he is a con-man. He surfaced last night, however, on the American television programme *48 Hours* on CBS, claiming to have been travelling in America. He admitted that his new hand was deteriorating. "I have probably lost 40 per cent of the movement had in France," he said. If continues to deteriorate, the hand may have to be amputated and his life may even be at risk.

Joe Alderman, a CBS producer, said that in December Mr Hallam had been able to lift a bottle and pour it with the hand. It had muscle strength in the fingers. Now, the prod-

ucer said, "he has lost all of that and it's an almost completely dead hand".

The worried medical team, led by Jean-Michel Dubernard, is questioning its choice of Mr Hallam as a candidate for the landmark operation, *48 Hours* reported.

The doctors learnt only after the microsurgery that he had lost his hand 15 years ago in a workshop accident with a circular saw while he was serving time for fraud in a New Zealand prison.

After the operation, Mr Hall-



Hallam pictured shortly after his hand transplant

lam was told that he must apply for a visa to re-enter Australia by immigration officers who had learnt of his previous conviction. He had been living in Perth with his wife and four children.

The saga was complicated further by his being wanted in New South Wales on seven charges that he defrauded individuals of hundreds of thousands of dollars in a marketing scheme. A lawyer said that Mr Hallam was remorseful and wished to repay his alleged victims. Mr Hallam left Lyons on January 8, saw his family off to Perth from Heathrow the next day and spent a few more days in London before flying to America.

After a cat-and-mouse game, *48 Hours* tracked him down to Las Vegas and flew him to New York for the interview at the weekend. But after that, he flew back to Nevada.

Although considered too risky by some doctors, Mr Hallam's pioneering operation brought hope to others who had lost limbs.

Mr Hallam told CBS that he had been on a crusade to educate the public about organ donations. But when the programme contacted one man he was said to have met, he said he had never heard of Clint Hallam.



Visitors to Laguna San Ignacio, a lagoon off the Pacific coast of Mexico, marvel at a California grey whale, which is an endangered species

Drug gangs linked to whale deaths

FROM DAVID ADAMS IN MIAMI

A CYANIDE-BASED chemical used by drug traffickers may be what killed seven grey whales off the Pacific coast of Mexico, according to a group of Mexican environmentalists alarmed by the deaths among an endangered species.

Homer Araditis, the group's leader and a noted author, is asking the Mexican Government to investigate suspicions that the fluorescent chemical, Natural Killer 19, or NK19, used by drug traffickers to mark drop zones in the sea at night for aircraft carry-

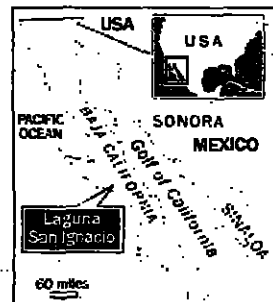
ing cocaine cargoes, could be responsible. As the substance breaks down it releases toxic quantities of cyanide — two molecules per molecule of the compound — into the sea.

This greatly alarms us. Above all we have to know

whether it's due to NK19 or to [other] pollution of their habitat," said Senor Araditis, before leading an inspection team to the area.

The California grey whales, which breed off the coastal states of Baja California, St-

aloa and Sonora, have been a source of concern for ecologists. Every winter they migrate 5,000 miles from the frigid waters off Siberia and Alaska to the shallow, warm lagoons off Mexico's west coast to raise their calves.



Killers cloose painful death

By Li Brodie

TWO German brothers have chosen agonising deaths by using rather than painful lethal injections in an attempt to escape capital punishment in Arizona.

Karl and Walter LaGrand, given the choice under Arizona law, opted for the gas chamber so that they could make a court appeal as it was "cruel and unusual punishment" and "unconstitutional".

However, the argument struck even death penalty opponents as unlikely to succeed.

"It would be a very hard one to win in today's courts," said Richard Dieter, director of the Death Penalty Information Centre in Washington.

The Germans' plea was based on an appeal court finding five years ago that the gas chamber was barbaric. The ruling agreed with a lower court that those executed by gas suffered "excruciating pain for between 15 seconds and several minutes" and that using cyanide violated "evolving standards of human decency and has no place in a civilised society".

Karl LaGrand, 35, who is scheduled to die tomorrow, and Walter, 36, due to be executed next week, murdered a 63-year-old bank manager, stabbing him 24 times with a letter opener, because he knew only half the combination to the bank's safe.

Turkey rejects EU call for open Ocalan trial

TURKISH officials initially rejected yesterday a European Union demand for observers to be allowed to attend the trial of Abdullah Ocalan, the captured Kurdish leader who may face the death penalty for treason but still has no defence lawyer.

They said arrangements were still being made, but Turkey needed "no lessons in how to conduct a fair trial". But there were reports that Turkey may modify the structure of the quasi-military court which is to try Mr Ocalan, to meet Western concerns. In a statement in Luxembourg, EU foreign ministers noted Turkey's assurances that Mr Ocalan would be given a fair trial, but added: "The EU expects this to mean fair and correct treatment and an open trial according to the rule of law, before an independent court, with access to legal counsel of his choice and with international observers admitted to the trial."

European lawyers offering

Civilian court may try Kurd leader, writes Richard Owen in Istanbul

to defend Mr Ocalan have been refused entry to Turkey. Mr Ecevit, who faces re-election in April, said any attempt "to put pressure on our courts" would be "an unacceptable affront to Turkish justice".

Mr Ocalan, who is held responsible by the Turks for 30,000 deaths during a 15-year Kurdish campaign in southeastern Turkey, is to be tried on the island of Imrali near Istanbul by a special session of the Ankara State Security Court, which includes military and civil judges.

But Turkish newspapers said the Government was considering tabling an emergency

Bill in parliament removing the military component in the court's make-up, on the ground that it would make the proceedings more acceptable to Europe.

The interrogation of Mr Ocalan, who is being held in isolation on Imrali, is due to end today. He is said to be living on tea, soup and boiled potatoes because of stomach problems, and to be chain-smoking.

The State Security Court, whose judges are appointed by the Ministry of Justice, has yet to decide whether the trial will be partly or fully public, and whether reporters will be admitted. It is likely to begin next month or early in April, before the elections.

The newspaper *Hurriyet* released yesterday what it said were details of Mr Ocalan's interrogation so far, in which the captured leader of the Kurdish Workers' Party (PKK) is said to have revealed that his guerrillas fighting Turkish rule in the mountainous terrain of southeastern Turkey had received "rockets and other weapons" from Greece. *Hurriyet* said the interrogation was being video-recorded, with a doctor present.

Mr Ocalan is said to have told his interrogators that Greece gave "guerrilla and explosives" training at PKK camps on its soil for years. He is reported to have said that Greek intelligence helped him while he was on the run.

President Demirel, who is visiting Manila, said that if Greece continued its "illegal actions", Turkey retained the right to take necessary precautions in self defence.

Shopkeepers in Diyarbakir, the main city in southeastern Turkey, went on strike yesterday to protest against Mr Ocalan's arrest. Turkish officials accused the PKK of intimidating the shopkeepers.



Kurds protest yesterday about their leader's arrest as EU ministers discuss his fate in Luxembourg

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Handwritten text in Arabic script: "السيد محمد علي"

IVF treatment and the lottery

There are no nationwide rules governing who is eligible for NHS fertility treatment — and what you do receive depends on where you live. For many childless couples it has meant heartbreak and thousands of pounds spent seeking private help. **Vanora Bennett** reports

HEALTH AUTHORITY FUNDING FOR ASSISTED CONCEPTION													
HEALTH AUTHORITY	NUMBER OF CYCLES FUNDED	MAXIMUM AGE	LIMITS IF PREVIOUS CHILDREN	RELATIONSHIP LENGTH	LIMITS IF PREVIOUS FERTILITY CARE	FREE FERTILITY DRUGS	HEALTH AUTHORITY	NUMBER OF CYCLES FUNDED	MAXIMUM AGE	LIMITS IF PREVIOUS CHILDREN	RELATIONSHIP LENGTH	LIMITS IF PREVIOUS FERTILITY CARE	FREE FERTILITY DRUGS
ANGLIA AND OXFORD REGION							SOUTH & WEST REGION						
Bedfordshire	2	35(F)	YES	IB*	IB*	YES	Avon	2	38(F/50(M))	YES	2 YR	YES	YES
Berkshire	1B*	IB*	IB*	IB*	IB*	YES	Camrnat/Solily Isles	2	38(F/50(M))	YES	2 YR	YES	YES
Buckinghamshire	1	40(F)	YES	NO INFORMATION THIS YEAR	YES	YES	Donor	2	37(F)	YES	2 YR	YES	YES
Cambridge & Huntingdon	1	40(F)	YES	NO INFORMATION	YES	YES	Gloucestershire	2	38(F)	YES	2 YR	YES	YES
East Norfolk	1	40(F)	YES	2 YR	YES	YES	North & East Devon	2	38(F)	YES	2 YR	YES	YES
Northamptonshire	1	40(F)	YES	NO INFORMATION	YES	YES	North & Mid Hampshire	2	38(F)	YES	2 YR	YES	YES
North West Anglia	1	40(F)	YES	FUNDED ONLY IN EXCEPTIONAL CASES	YES	YES	Portsmouth/South East Hampshire	2	38(F)	YES	2 YR	YES	YES
Oxfordshire	1	40(F)	YES	ASSISTED CONCEPTION NOT FUNDED	YES	YES	Southampton/S.E. Hampshire	2	38(F)	YES	2 YR	YES	YES
Suffolk	1	40(F)	YES	ASSISTED CONCEPTION NOT FUNDED	YES	YES	South & West Devon	2	38(F)	YES	2 YR	YES	YES
NORTHAMPTONSHIRE REGION							TRENT REGION						
Bradford	2	40(F)	YES	1 YR	YES	YES	Derbyshire	2	38(F)	YES	2 YR	YES	YES
County Durham	2	40(F)	YES	1 YR	YES	YES	Doncaster	2	40(F)	YES	2 YR	YES	YES
East Riding	6	25-34(F)/46(M)	YES	3 YR	YES	YES	Leicestershire	2	38(F)	YES	2 YR	YES	YES
Leeds	1	34(F)	YES	2 YR	YES	YES	Lincolnshire	2	38(F)	YES	2 YR	YES	YES
North Cumbria	2	36(F)	YES	2 YR	YES	YES	North Derbyshire	2	38(F)	YES	2 YR	YES	YES
Northumberland	2	36(F)	YES	3 YR	YES	YES	Nottingham	2	38(F)	YES	2 YR	YES	YES
North Yorkshire	1-2	38(F)/48(M)	YES	3 YR	YES	YES	Sheffield	2-3	38(F)/50(M)	YES	2 YR	YES	YES
Tees	1-2	38(F)/50(M)	YES	3 YR	YES	YES	South Humber	2	38(F)	YES	2 YR	YES	YES
Wakefield	2	40(F)	YES	3 YR	YES	YES	WEST MIDLANDS REGION						
NORTH THAMES REGION							Coventry	1	38(F)	YES	18 MONTHS	YES	YES
Barking & Havering	1-2	25-38(F)	YES	2-3 YR	YES	YES	Dudley	1-3	38(F)	YES	2 YR	YES	YES
Brent & Harrow	2	40(F)/55(M)	YES	3 YR	YES	YES	Herefordshire	1-3	25-38(F)/25-55(M)	YES	2 YR	YES	YES
Camden & Islington	2	25-37(F)	YES	3 YR	YES	YES	North Staffordshire	1-3	38(F)	YES	2 YR	YES	YES
Ealing, Hammersmith & Hounslow	2	16-35(F)	YES	NO INFORMATION	YES	YES	Sandwell	2-3	37(F)	YES	2 YR	YES	YES
East London/City	2	16-35(F)	YES	ASSISTED CONCEPTION NOT FUNDED	YES	YES	Shropshire	2-3	40(F)/56(M)	YES	2 YR	YES	YES
East and North Hertfordshire	2	37(F)	YES	2 YR	YES	YES	Solihull	1-2	27-40(F)	YES	2 YR	YES	YES
Enfield and Haringey	2	37(F)	YES	2 YR	YES	YES	South Staffordshire	1-2	27(F)/55(M)	YES	2 YR	YES	YES
Kensington/Chelsea/ Westminster	1-3	37(F)	YES	3 YR	YES	YES	Walsall	2	38(F)	YES	2 YR	YES	YES
North Essex	1	38(F)	YES	3 YR	YES	YES	Warwickshire	1	38(F)	YES	2 YR	YES	YES
South Essex	1	38(F)	YES	3 YR	YES	YES	Worcestershire	1	38(F)	YES	2 YR	YES	YES
NORTH WEST REGION							Wolverhampton	1-2	38(F)	YES	2 YR	YES	YES
East Lancashire	3	39(F)/49(M)	YES	3 YR	YES	YES	WALES						
North Cheshire	2	37(F)/50(M)	YES	3 YR	YES	YES	Dyfed Pwllheli	1-2	35(F)	YES	1 YR	YES	YES
North West Lancashire	2	36(F)	YES	3 YR	YES	YES	Gwent	1-2	35(F)	YES	1 YR	YES	YES
Salford & Trafford	3	40(F)/50(M)	YES	3 YR	YES	YES	West Glamorgan	1-2	25-38(F)	YES	1 YR	YES	YES
St Helens/ Knowsley	2	36(F)	YES	3 YR	YES	YES	SCOTLAND						
Sefton	2	36(F)	YES	3 YR	YES	YES	Angus & Clyde	3	40(F)	YES	2 YR	YES	YES
South Cheshire	3	37(F)	YES	3 YR	YES	YES	Ayrshire & Arran	3	37(F) FOR IVF	YES	3 YR	YES	YES
Stockport	3	40(F)/50(M)	YES	3 YR	YES	YES	Borders	3	40(F)	YES	2 YR	YES	YES
West Pennine	3	40(F)/50(M)	YES	3 YR	YES	YES	Dumfries & Galloway	3	40(F)	YES	2 YR	YES	YES
Wigan & Bolton	2	38(F)	YES	3 YR	YES	YES	Fife	3	38(F)	YES	2 YR	YES	YES
Wirral	2	38(F)	YES	3 YR	YES	YES	North Valley	3	40(F)	YES	2 YR	YES	YES
SOUTH THAMES REGION							Grampian	1	24-40(F)/24-50(M)	YES	2 YR	YES	YES
Bromley	2	27-38(F)	YES	3 YR	YES	YES	Glasgow	2	37(F)	YES	2 YR	YES	YES
East Kent	1	38(F)	YES	3 YR	YES	YES	Highland	1	40(M)	YES	2 YR	YES	YES
East Surrey	2	25-37(F)	YES	3 YR	YES	YES	Orkney	1	40(M)	YES	2 YR	YES	YES
East Sussex	2	35(F)	YES	3 YR	YES	YES	Shetland	1	37(F)	YES	2 YR	YES	YES
Kingston/Richmond	3	38(F)	YES	3 YR	YES	YES	Tayside	3	18-42(F)	YES	2 YR	YES	YES
Lambeth/Southwark/Lewisham	1	25-38(F)	YES	3 YR	YES	YES	NORTHERN IRELAND						
Merton/Sutton/Wandsworth	1	25-40(F)	YES	3 YR	YES	YES	ASSISTED CONCEPTION NOT FUNDED						
West Surrey	1-3	36(F)	YES	3 YR	YES	YES							
West Sussex	1-3	36(F)	YES	3 YR	YES	YES							

Key:
IB* - Decided on an individual basis

Source: College of Health/National Infertility Awareness Campaign

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CHANGING TIMES

Improving the chances of having a baby

There are 150,000 children and young adults worldwide who owe their lives to assisted reproduction. These former test-tube babies are now playing in their cots or going off to school; a few are of university age. Doctors insist that assisted reproduction should not be seen as a panacea to glue together a crumbling marriage but, as the standard *Gynaecology* textbook suggests, it does have an important role in fulfilling the hopes of a well-adjusted couple who want to have a baby.

More than 90 per cent of infertile couples who want to conceive experience frustration, depression and isolation. Amazingly, one in five involuntarily childless married women has felt suicidal while waiting for treatment; one in three said that their marriage had taken a battering because of childlessness. It is not an isolated problem — one in six couples experience difficulty when trying to have a baby — but many of these will conceive without assisted reproduction.

By the time a couple consult their own doctor, they have usually tried all standard methods of improving the chances of conception. But there is a minority who are forced to live separate lives, and who either don't have intercourse often enough or have it at the wrong time of the month. Many women have irregular periods and it is difficult for them to know just what is the correct time of the month. The local pharmacist can help. There are now ovulation-prediction kits available which enable a woman to know when she is ovulating; these react to hormonal changes in the urine at the time of ovulation. The older method of temperature-charting is still important. The details on the special thermometer need to be followed carefully. Ovulation occurs after the temperature first dips and then rises.

When should the would-be mother see her doctor? If the couple have been having regular sex at the time of ovulation for at least a year or 18 months, it is time to go to the surgery. If the medical history

MEDICINE CHEST

DR THOMAS STUTTAFOORD

of either the father or the mother prompts concerns about conception, seek specialist help earlier rather than waiting.

Only after all other techniques have failed or are deemed unsuitable is in vitro fertilisation (IVF) recommended. The ovaries are stimulated to produce several mature eggs (ova). Some ten to 14 days later, a needle is inserted with the help of ultrasound, either through the abdominal wall or the vagina, so as to retrieve about ten mature eggs.

In the laboratory the eggs are fertilised by washed sperm and, about 40 hours later, three or four fertilised eggs are inserted through the vagina into the uterus. The fertilised eggs are not used on the first occasion are frozen and saved. The ovarian stimulation is achieved by giving a combination of Clomid, human menopausal gonadotrophin and a gonadotrophin-releasing hormone agonist. This stimulates

the pituitary (an endocrine gland at the base of the brain) to release gonadotrophins. The success rate of IVF is about 25 per cent. Inevitably, the conception rate is greater than the final successful birth rate: it seems that a greater number of embryos are lost after IVF than with natural conception.

The specialised units which offer assisted reproduction have an ever-growing armoury of drugs and invasive procedures. The regime starts with the prescription of Clomid (clomiphene), a drug which encourages ovulation. When it is prescribed, a specialist usually gives advice on diet, weight loss, rest and tension reduction, while also recommending a daily intake of folic acid.

Clomid may be effective but is no longer used for more than six months as it can occasionally have long-term adverse effects. It gives a couple an 8 per cent chance of having twins and one in 1,000 chance of having triplets or quads. Most doctors now recommend that women are under specialist control so that they can be certain there is no risk of a multiple birth. Clomid may also cause hot flushes, breast tenderness, nausea, headaches and, in a

few cases, hypersensitivity syndrome in which ovaries become inflamed and fluid collects in the abdomen.

Specialist units also have stronger fertility drugs which are given by injection. Considerable care is needed when these are used as the risk of ovarian hyperstimulation syndrome becomes more likely. After treatment 95 per cent of women ovulate, but only 50 to 75 per cent become pregnant; multiple pregnancies are also a problem.

GIFT (gamete intra-Fallopian tube transfer) is the technique of placing an unfertilised ovum and sperm together in the Fallopian tube by means of laparoscopy. A general anaesthetic is needed. It is an alternative IVF.

Treatment of male infertility has always been unsatisfactory but, recently, a procedure which involves injecting a single sperm into an ovum (intracytoplasmic sperm injection) together with IVF has enabled some couples to have babies without resorting to sperm donation, despite very low sperm counts or ejaculatory failure, neither regime which can help overcome the problems of male infertility. Ovulation is stimulated by drugs then specially prepared selection of active sperm is injected through the cervix.

● National Infertility Awareness campaign, phone 0800 716 15 (free).



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CLINICS THROUGHOUT THE UK - ESTABLISHED 1982

by postcode

Alison and Chris Tripp wanted to have a baby, but 31-year-old Chris had a medical condition that stopped him producing sperm. So their health authority, the London Borough of Hounslow, funded fertility care. After four cycles of treatment, Alison conceived; she gave birth to twins last June. All the Tripps had to pay for were the drugs and donor sperm. Their total costs were £600.

Not far away, in Hertfordshire, 31-year-old Barnaby and Nikki also want to have a baby, but Barnaby, like Chris Tripp, has a medical condition that limits his production of sperm. Their North Hertfordshire Health Authority, however, has less generous rules about funding fertility treatment than Hounslow.

So Barnaby and Nikki — who are not rich — have had to pay for private care. Nikki has not yet conceived. But, since they started in September 1996, their efforts have cost them £13,000 to £14,000.

"We just feel so discriminated against that we're not getting any funding," says Barnaby, a freelance graphic designer. "It's very unfair for a lot of couples. I think there should be the same treatment for all, or why should we pay for other people to get it?"

The different fates of these two similar couples illustrate one of the great injustices in National Health Service funding. Although one in seven couples seeks infertility treatment, there are no nationwide rules for who can get it — and what help you get depends on where you live. Each regional health authority sets its own budget and makes its own rules about whom it will pay for — which varies wildly from region to region. The National Infertility Awareness Campaign (NIAC), which is pushing for reform, calls this a "divisive and discriminatory" system, a lottery of "treatment by postcode".

"Regrettably, where you live remains the most important deciding factor as to whether you receive funded treatment," says the NIAC. "Health authority spending on infertility services remains patchy and chaotic; eligibility criteria employed by health authorities vary widely."

Infertility is a widespread problem. One in six couples in Britain has trouble conceiving at some point, NIAC says. But, with not enough money to go around to treat all patients, health authorities have to limit numbers.

In some areas, women over 34 cannot be treated; in others, the maximum age for women is 40 or older. Some districts set a maximum age for men, varying between 45 and 60. Some areas will not fund treatment for couples if either partner has a child from a previous relationship. Some say that a couple's relationship must be three years old, but others say five years.

While Scotland provides 27.5 IVF treatments per 100,000 population (the NIAC recommends that Britain needs a higher rate of 40 treatments per 100,000), and Wales provides 23, the West Midlands provides only 3.5 and Northern Ireland none at all.

Belatedly, the Government seems to be recognising the existence of a problem. This month, the Department of Health commissioned a new nationwide survey of fertility treatment available on the NHS, so that Frank Dobson, the Health Secretary, can see for himself the scale of regional variations in treatment and ponder future policy.

A Department of Health spokeswoman says the survey was waiting for a final go-ahead. She was unsure when it would be ready. But, she says, once ready, it might be used as a consultative document for the new National Institute for Clinical Excellence, which starts work next April and will be asked to offer standard guidelines on fertility treatment to local health authorities across Britain. The guidelines might also include a standardised national age limit.

But, for the moment, if you live in an area where the health authority does not pay for the treatment you need, the only way to get it is out of your own pocket. The debts that then start to mount only add to the anxiety of trying to get pregnant.

"Worrying about money certainly adds to the stress of the treatment," Barnaby says. "They tell you not to worry but it's Catch-22: you find you've started worrying about worrying about the money."

Adam Balen, consultant gynaecologist and obstetrician at Leeds General Infirmary's assisted conception unit, is frustrated by the financial emphasis that dominates his work. "If you were to sit in on my clinic, you'd see that I spend more time talking about economics than the medical side of the situation with patients. I don't want consultations to be along those lines."

The NHS funds about 30 per cent of patients treated at his unit, says Balen. Another 65 per cent are "self-funded", getting exactly the same care as NHS patients but paying for themselves. The final 5 per cent are the truly private patients, paying a little extra for consultant visits.

"There will always have to be some rationing and there may well be age or other cut-offs," says Balen. "But it's a question of providing an appropriate balance."

As Nikki and Barnaby know to their cost, that balance does not yet exist. They have the misfortune to live in Hertfordshire where, Barnaby says, there is a blanket rule of no funding for fertility treatment. They have looked everywhere for the money. First they spent their savings. Then Nikki's grandmother gave the couple some financial help. Later they borrowed from Barnaby's father. Now? They are not sure.

"We're having a break at the moment because of finances. We're going to review them in June or July and probably go for another treatment then," he adds. "You think, we can use that bit of money, borrow from somewhere. We haven't thought about remortgaging the house yet. The money we are spending on treatment is money that we're sort of saving over the year."

With not even a positive pregnancy test to show so far for several attempts at assisted conception, they are making what economies they can, where they can. For instance, they have discovered they can save up to £50 a day on fertility drugs just by phoning around different pharmacies. And they compare notes on costs with other would-be parents in a local support group.

"If someone's discovered any information, they pass it on," says Barnaby. "It almost feels like being in a terrorist group."

They have even thought of, but rejected, the idea of moving house to move into an area with a more generous policy.

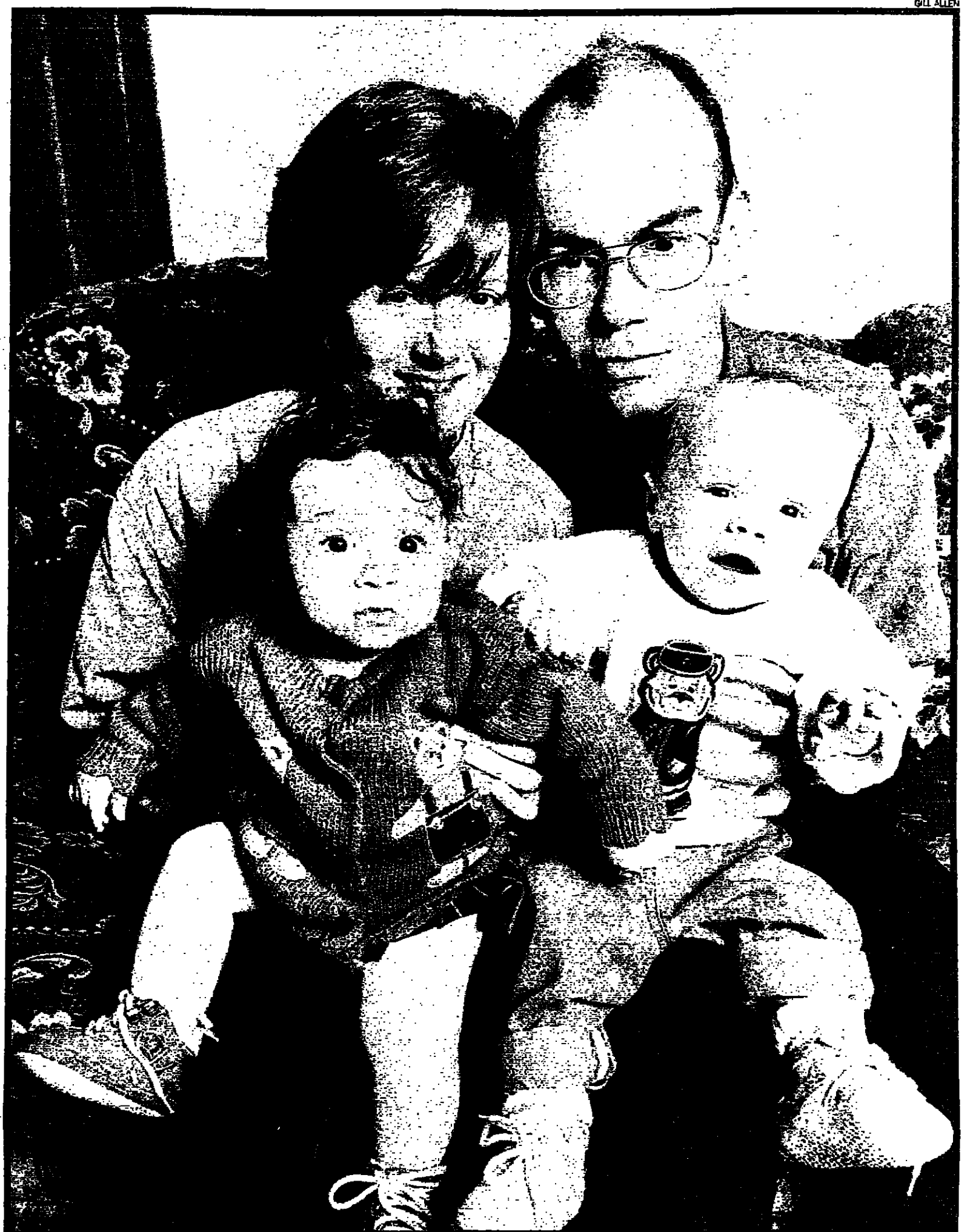
"There'd be all the upheaval and change," says Nikki, an art therapist. "And there would still be no guarantees if we did move. Once you move, there's a wait. You have to live in a place for a year or two before you can even go on the waiting list."

"Emotionally it's been a big strain over the year. It felt a lot of treatment to have in a year. We also felt compulsively that we had to try it again, at whatever cost," she adds.

"But since the last treatment that need to try again so quickly has sort of subsided. I think we're coping with it a bit better."

The happiness that goes with successful fertility treatment is undeniable. Speaking over the sound of her eight-month-old twins crying, Alison Tripp is still breathless with joy as she describes the end of "four years of hell" trying to have a baby.

"It's made us a whole family. We're just complete. It's lovely," she says.



Alison and Christopher Tripp with their twins — born after four cycles of IVF treatment largely paid for by their local health authority. Their cost: £600

ARTS

Giles Whittell reports on Office Space, the cartoon triumph starring real people, which is America's most eagerly awaited release.
Arts, pages 35-37

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Seized by the honourable members

Only one Lib Dem has the essential equipment for leadership

Reflecting on his bisexual past, the diarist and conservationist James Lees-Milne confessed that he "liked my men to be manly and women to be womanly". I confess that I share his outlook. Although not his life-style. If you believe in pluralism, whether in the bedroom or at the ballot box, then you should cherish diversity.

Which is why rule by the politically androgynous is so depressing. The rise of the unisex fragrance, such as the dreadful CK One, is mirrored in the dominance of the inclusive politician. Like the unfortunate MP called Bosom who once attracted Winston Churchill's attention, our rulers are "neither one damn thing or another". It was all too appropriate, and dispiriting, that the giant human form which the Blair Government first planned to include in the Millennium Dome was to have been emasculated.

But what Mr Blair failed to do with the figure in the dome, he has tried to do with Britain's political parties. His own was a useful cardhorse to pull his triumphal chariot to No 10. But now it is practically a gelding. If Labour has a point, it is to allow the dissenting spirit a free rein. But Mr Blair uses his whip to cow a creature afraid any longer to know itself.

Mr Blair's ambitions reach far beyond the party he has now broken in. Last week he lectured the Tories on how they should evolve to give less offence. A Conservative who agreed with him on the single currency, such as Ken Clarke, should be their next leader. Mr Blair's enthusiasm for GM foods suggests he has no difficulty with playing God, but must he try to create every party leader in his own image? What is the point of a Conservative Party which does not try to conserve a few things? Like the pound, for example.

The Tories may, so far, have escaped neutering but the Prime Minister certainly had the Liberal Democrats by the vitals. Paddy Ashdown was so anxious to get into bed with the Government that he didn't realise that his virility was in Mr Blair's icy grip. His policy of co-operation led him into a hunched posture at the Prime Minister's side, meekly acquiescent at the sidelining of the Jenkins Commission and mutely nodding through changes to the criminal justice system offensive to liberal principles. Little Captain Echo became lead castrato in the Blairite choir.

The greatest service that Mr Ashdown has rendered his party is to resign now. There is a chance that the Liberal Democrats could use the freedom they still have, to choose their leader, to remind themselves why they came into politics. They could elect a Liberal Democrat leader who is genuinely liberal. They are lucky to have a candidate available with the character and convictions to make their party a success in its own right, instead of Mr Blair's limp appendage. She is the Taunton MP, Jackie Ballard.

Consideration of who should be the next Liberal

Democrat leader has tended to focus on the seven dwarfs: Charles Kennedy, Michael Campbell, Simon Hughes, Nick Harvey, Malcolm Bruce, Don Foster and David Rendel. They are, respectively, the Lazy, Cosy, Wimpy, Baldy, Nerdy, Drabby and Who He? of British politics. Mrs Ballard may not be quite Snow White, but she has a magic none of the rest can quite aspire to.

It has been assumed that the two front-runners for the post are Kennedy and Harvey. The former's "communications skills" and the latter's anointing by Mr Ashdown are held to place them ahead of the rest. But does either have the steel which a leader requires?

Mr Kennedy's game-show chattiness, so strikingly reminiscent of Nicky Campbell on *Wheel of Fortune*, has a certain charm. But the style is uncomfortably close to being Blairism Lite. And the substance has had all the constancy of Nicky's wheel. Mr Kennedy has moved from being an advocate of closer ties with Labour to an opponent: his only fixed position has been distance from his leader. British politics doesn't need another opportunist.

Which is why we don't need Mr Harvey. The North Devon MP, after a lifetime of principled Euroscepticism, chose to herald Mr Ashdown's retirement with a statement supporting the single currency. His approach to leadership seems to be the wetted finger held aloft to catch the breeze.

It is not Mrs Ballard's. She recognises that the essence of Liberalism, as Conrad Russell has pointed out, is a belief in the dispersal of power. And she has held to that view, risking unpopularity with Mr Blair's opposition by opposing further co-operation with Labour, an exercise in the concentration of power which has done liberalism no credit.

If the Liberal Democrats are to thrive they have to be an alternative, not a substitute. The point applies with particular force in elections, such as the European, Scottish and Welsh, which are governed by proportional representation. Without the benefit of the tactical voting which occurs in first-past-the-post contests, parties must compete on their intrinsic qualities, not their closeness to others.

Mrs Ballard's intrinsic qualities are courage and conviction. On Europe, hunting, education and vegetarianism she has views which sometimes irked Mr Ashdown and are opposite to my own. But they are quintessentially liberal. She recalls, in her combination of forthright manner and sympathy for the underdog, Labour's Mo Mowlam and the Tories' Ann Widdecombe. Is it any coincidence that both are their respective parties' most popular politicians?

In an ideal world, leaders should have balls. However appropriate James Lees-Milne's admirable sentiment, there is an exception even to golden rules. If the only leader with balls is a woman, then she's got my vote.

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Michael Gove



Metropolitan values

Sir Paul Condon should not be forced into a show-trial confession

It's always the same. Whether the issue is genetically modified food, arms sales, welfare reform or police corruption, the pattern is so frustrating that you want to spit. What happens is this. A debate begins. For a brief moment there is a sense of much-needed national spring-cleaning. Then, by the magic of media, it turns into a complicated row about leaks, injunctions, manipulation, party politics, "hypocrisy", and non-issues like "freedom of the press" to jump the gun even if something was going to be public in a few days anyway.

Brawling, we veer off the main point and bury the issue under a mound of disgusting trivia, until everyone is bored with it. So it is no surprise that — courtesy of the impatient hubris of newspapers and the flat feet of government — already the contents of the Macpherson report are fueling a noisy row irrelevant to justice, racial harmony, the Lawrence family or the Metropolitan Police.

So to hell with it. A plague on both their houses. Let us leave the fray and quietly meditate on the failure of certain parts of Britain to outgrow the futile, dreary, pointless evil of racism. For dreary it is: of all the vices, the worst are those with no corresponding joy. Say what you like about drink and drugs and lechery and theft, they at least have the faint merit of seeming like a good idea at the time. They have links to innocent God-given pleasures. Racism, on the other hand, offers only the thin, sour satisfactions of enmity. Do you think those five young men, caught on hidden cameras mouthing hate and miming stabbings, are happy? Do you think the sneering canteen-racist culture of some policemen enhances those officers' lives?

Of course it doesn't. It is compounded of fear and ignorance and immaturity. I often get letters from keen racists — most journalists do — and behind the ranting it is easy to discern unhappiness, fear, and sour, obsessive disappointment. Racists of all classes (and let it be said, more than one ethnic group) are united in coming across as depressed and depressing people.

So why is there so much of it? And how do we stop it occurring in the upcoming generation? Politically correct nagging alone won't do the job. Without excusing criminals, it should be remarked that the problem of street gangs, who roam around looking for enemies, is

aggravated by the way Britain is run. For more than two decades, with only fig-leaf gestures of amelioration, government has shruggingly accepted high unemployment among the less educated young. I remember 20 years ago interviewing some 17-year-olds who had — shock horror! — been a whole year out of school without finding work. At the time it was a scandal. Now it is commonplace for a boy to leave school at 16 because he has no taste for the classroom; and to find —

ment". Well, re-education may work on the very young and unformed, but those over a certain age will resist it, speak of Thought Police and think themselves martyrs. For them, the deterrent has to be another Macpherson measure: far tougher use of the new harassment laws, to make it absolutely clear that you do not have to be violent to have your collar felt. Spitting at Asians' front doors or shouting abuse will do. Racist behaviour must be made not worth whatever "obscure" kick you get from it.

More startling is the Macpherson suggestion that racist polemics in private should be illegal: again, why make martyrs? Better to police the public arena properly.

And policing lies at the heart of it. The refusal of Commissioner Sir Paul Condon to countenance the phrase "institutionally racist" about the Met seems, ominously, to be a sticking-point. "There must be made," said Macpherson, "an unequivocal acceptance of the problem of institutional racism and its nature." Any police chief who "feels unable to so respond" is deemed to be ineffective.

There are two reasons this makes me uneasy. One is the sense of a show-trial confession. Apology to the Lawrences is one thing; it had to be made, and openly. General breast-beating according to an enforced formula is quite another. Why should chief constables who gleefully accept the phrase be safe, and Sir Paul — known to be no racist — be forced out for refusing to accept an imposed, emotive form of words which insults his better officers?

The other reason is that I mistrust general confessions of the "we are all-guilty" nature. In any field you like to name — crime, poverty, child abuse, racism — the insistent political correctness which loads blame on everyone invariably has the effect of camouflaging the real

villains. We are not all guilty. We are sometimes complacent and need shaking up, but that is not the same thing. The police are human beings and should be managed in ways which reinforce, rather than deny, their humanity. Which is more likely to produce an enthusiasm for reform — saying "We are a wicked institution", or "We are an institution that aims to be good, and will punish any member who ever falls below our standards again"?

Admittedly, in the case of the Metropolitan Police, the latter statement would be a lot more convincing if heads/had rolled, instead of retiring, over the Lawrence affair. All the same, I doubt that a formal declaration of "institutional racism" would help.

There are other questions: among them the proposal to abandon the "double jeopardy" rule under which you cannot be tried for the same crime twice. Again, this seems oddly placed: it is quite possible that we have come to a stage where this rule could be made adjustable, but it is an ancient protection against cat-and-mouse treatment of suspects, and a spur to the concentration of prosecutors' first time round. To change it needs wider consideration than one conclusion of one inquiry and the freakish position of three suspects.

That London needs more black police is obvious. It won't get them until the relationship of police, white racist thugs and young disaffected black men has been comprehensively straightened out, all the way from the primary school to the middle-aged white copper who still can't see what all the fuss is about. Macpherson is a start.

But until the lost generation of inner-city youth is valued and nurtured by public policy, it will be uphill work. Any parent with hopeful and high-aspiring teenagers will tell you that cheerful kids with reasonable life prospects are colour-blind among themselves, and consider racism — if they consider it at all — to be embarrassing, uncool. Freaky. Weird. Their headshaking over the Lawrence affair is one of the most hopeful signs currently on view. They "don't get it". But that is because they are happy and hopeful. Down in the mean streets there are plenty of other teenagers with little reason to be either.

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Libby Purves

'What gain does Freud foresee in accepting the Queen as his subject? The more sinister answer is that he aims at subversion'

Rachel Campbell-Johnston

For some years, sensitive negotiations have been under way between the Queen's most politic adviser and Britain's least diplomatic painter. Now, at last, they may be reaching an end. Lucian Freud, an artist renowned for his remorseless eye, has conditionally agreed to Sir Robert Fellowes's request that he should paint a portrait of the Queen.

Freud has painted a queen before. He posed his subject stark naked on a bar stool, sweeping thick brushstrokes round ballooning thighs. But that was Leigh Bowery, queen of high camp, sovereign of a clubland rather less staid than the establishment purlieus of St James's.

But it's easy to understand why the nation would now like Freud to paint a portrait of its real monarch. After all, he has been hailed as Britain's greatest

living painter. He could become a contemporary Gainsborough. His vision may be bleak, but the Queen is not vain. She may have disapproved of a recent stamp design in which her profile went up in a puff of smoke, but more often she has regally ignored all reference to the grisly blotches or bloated fingers with which less competent portraitists have depicted her. The more interesting question is why Lucian Freud would wish to paint the Queen. He has no need of the royal imprimatur; and proved as much in refusing a commission to paint Diana, Princess of Wales. He prefers to choose his models for himself, and when Andrew Lloyd Webber suggested Freud might paint his wife, the artist refused, complaining afterwards that he had been "threatened" by the composer "with the offer of free tickets to his shows". Great art is, in its very nature,

dissident. The great artist may be fit for the highest and lowest societies, but should never join either. To aspire to such individuality demands courage and stamina. The weakling will never clamber out of Kierkegaard's "common pool of shared meanings". So what, then, is the point, after struggling through layer upon layer of convention, through a mire of disapproval and hostility, only to arrive at the heart of all that is conventional? What gain does Freud foresee in accepting the Queen as his subject?

The more sinister answer is that he aims at subversion. He has often selected his models from the elite. The blue blood which twists through painted veins is quite real. The critic Terence Mulhally pinpointed

Freud at his most dispassionate but powerful when he spoke of the "compelling nastiness" of the paintings. Freud's art is to aestheticise cold disgust. He plays his socialites like sluts, abandons them like women after rape. "I'm really only interested in my sitters as animals," he once said.

Freud at his most dispassionate but powerful when he spoke of the "compelling nastiness" of the paintings. Freud's art is to aestheticise cold disgust. He plays his socialites like sluts, abandons them like women after rape. "I'm really only interested in my sitters as animals," he once said.

He privileged are dumped like meat on his butcher's slab. When a pregnant Jerry Hall offered her services as a muse, some were surprised that Freud should have accepted. But the artist takes a cruel fancy to Freud should have accepted. But the artist takes a cruel fancy to Freud should have accepted. But the artist takes a cruel fancy to Freud should have accepted.

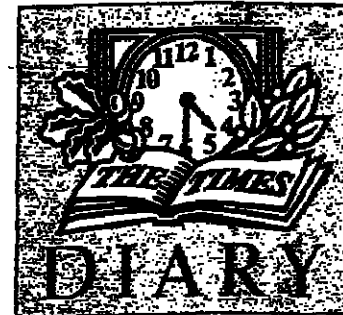
In a raw light, then the Queen, Britain's wealthiest and most famous woman, would surely provide the perfect subject. She is uniquely protected by an aura of social respect. And already Freud is inverting the assumptions of sovereignty with stringent demands, requesting that the Queen should endure some 70 sittings.

In agreeing to undertake this commission, Freud participates in a twisted play of power. Notoriously reclusive, he secludes himself in his Notting Hill home. Famous for his sexual profligacy, he breaks the nuclear family's norms. Indifferent to his subjects, he lets the usual bonds of relationships snap. But through this very unconventionality, he asserts the primacy of the artist as individual.

The white scarf and sallow features of Freud may be spotted surprisingly often at the fringes of rather smart parties. Like the dandy Baudelaire, in whose tradition he treads, he moves in the circles that his work most scorns. He realises, perhaps, that it is only in contrast to them that his aesthetic aims are defined. Baudelaire may have declared that honours "encourage hypocrisy and freeze the spontaneous upsurge of a free heart", yet he hunted them grimly in later life. And Freud appears to be doing the same. He has already been appointed to the Order of Merit.

But, for a painter, the ultimate definition of nonconformist ideals could be realised through a portrait of the person who is most socially prized. If Sir Robert Fellowes's plan comes to fruition, then Freud will not have compromised himself. He will probably produce one of his most powerful portraits.

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Labour of love

AN AGONY aunt is to tend to those increasingly excitable and confused Labour MPs. Amid strict secrecy, the party has produced "dummy" editions of a populist magazine (suitably simple for its target audience). A key feature: "The Problem Page."

The glossy quarterly will offer colour snaps of the PM and the latest "hot" gossip and happenin' events for Labour luvvies. Personal contributions from senior figures will address everything except "Prescott and DIY".

Meanwhile, Tories will also launch their own "hip" magazine. "It will be very young in outlook," they insist. "Full of our thrusting members." Don't exaggerate, boys.

THE Queen has applied for permission to erect a partition in a bedroom at Buckingham Palace. I am assured that this does not imply that Prince Edward's relationship with Sophie Rhys-Jones is going true to form.

MOTHERS of pupils at Giggleswick School, in North Yorkshire, have formed an action group to combat the "moral degeneracy" of the area's favourite export, *Emmerdale* — the village soap where lesbian exercise has spiced up life in the milking shed (below).

Giggleswick old boys include Richard Whiteley, whose buffoonery has been given the all-clear. But



one exotic former English master would have received a mighty thrack with the garden rake — Russell Hardy.

CANINE conflict at Stormont. After a tree was planted for each Assembly member, one sapling had an unwelcome visitor. Sammy Wilson, Democratic Unionist, led his mutt to the Gerry Adams tree, where it expressed his master's appreciation.

I AM struck by Jack Cunningham's chumminess with the gene lobby. Last spring, Jackboots paid a quiet visit to Zeneza's genetic research institute in Bracknell. "He reminded everyone of his PhD in chemistry, and said how pleasant it was to be among friends for a change," I hear. He stressed that Catherine, his elder daughter, had finished a degree in genetic engineering. "Luckily, none of the big GM firms rushed to offer her a job. So she now researches human genes, steering clear of killer tomatoes."

PATSY KENSIT was spotted in Kensington on Sunday buying a pile of books on pregnancy. Thus we have the delightful possibility of a baby Liam Gallagher.

IT'S DEGENERATED INTO GESTURE POLITICS



GRETA GARBO has a new father. Hollywood's favourite misery was not the daughter of Alfred Gustafsson after all, but of neighbour Sven Gustafsson (the surname is chance). Evidence found by a Stig Tomlinson shows that, as a salesgirl in the early 1920s, Garbo received a big inheritance from Sven's sister. He insists this was because Garbo was her niece. So that's why she wanted to be alone.

THOSE spiritualist thinkers Glenn Hoddle and David Jock have had a tiff. Icke, a Son of God, says Hoddle should realise "consciousness, not the physical body, is eternal". OK, Glenn?

REPORTS about Lord Archer's son James, suspended from his City job, say he was captain of athletics at Oxford. Odd, because he wasn't. There was also confusion, remember, about his papa's CV, especially over his stint at varsity. Nothing genetic, I am assured. "James was actually captain at Eton, breaking the 800 metres record."

JASPER GERARD



CONDON SHOULD STAY

Substantial reform does not require a sacrificial Commissioner

Although the full report from Sir William Macpherson of Cluny will not be published until tomorrow, the essence of that document is already in the public domain. The failings of the police, Sir William will argue, were due less to incompetence than to an insensitivity bordering on indifference to racially motivated attacks. This, it will be claimed, was the result of "pernicious and institutionalised racism" embedded in the culture of the London force. That phrase has already produced a chorus of voices demanding the resignation of Sir Paul Condon as Metropolitan Police Commissioner. Sir Paul made it clear yesterday that he did not intend to leave his post.

The Commissioner is right to take that stand. He should not offer his resignation unless, as he has himself conceded, he is accused personally of dishonesty or malpractice. This is exceptionally unlikely. Sir Paul has an exemplary record on these issues. He has attempted, with modest resources and modest success, to address the issue of racism within the constabulary. He authorised the use of unorthodox methods in an attempt to secure a conviction in this case. He has conceded that the Metropolitan Police requires sweeping and immediate reform.

The case for forcing Sir Paul from his position appears to stand on four charges. The first is that someone, somewhere, should assume responsibility for the fiasco of the Lawrence investigation. As almost all the relevant South London detectives have disappeared from the scene, it is contended, Sir Paul should take their place. The second is the fact that Sir Paul endorsed the original internal investigation of the Lawrence case. The third is that the Commissioner's refusal to admit that his force suffers from "institutional racism" renders him incredible. The fourth is that his removal is an essential precondition to the modernisation of the police in London.

All these charges are fatally flawed. To eject Sir Paul from office, regardless of his record, purely because he is the most senior figure available for retribution, would be to compound injustice with injustice. He had every reason to trust those whom he had asked to examine the Lawrence murder. To deem him disqualified because of a semantic argument over the meaning of the phrase "institutionalised racism" — a slippery term — would be perverse. To believe that obtaining Sir Paul's head would advance the prospect of a non-racist, more responsive, police force is, at best, an act of innocence and, at worst, one that would prove counter-productive.

This is not to argue merely that Sir Paul's departure would "lower morale" among police officers. It probably would do that; but this has to be balanced against the rock-bottom "morale" of many law-abiding members of the public whose co-operation is essential for successful policing. It has to be recognised that any overhaul of the police will take time and, initially at least, involves the retraining of existing personnel. Sir Paul is the best person to put in place the transitional arrangements that another figure must see through. If he were forced out, he would be replaced on a temporary basis by his deputy commissioner, John Stevens, who is not famed for radicalism himself and would not possess the authority to impose real change.

Those who seek the reform of the Police have to decide whether they are interested in symbolism or substance. If it is to be the former, then Sir Paul will be deemed guilty by association and pushed out. That would be an ironic outcome to the Lawrence tragedy. If the latter, however, the Commissioner will instead be offered new tools with which to start the process of reconstruction which next year a reforming successor should continue. This is the route that Jack Straw should now take.

FIRST STEPS

India and Pakistan edge towards useful talks

At the end of the two-day visit by the Indian Prime Minister to Pakistan, the leaders of the world's newest nuclear powers committed themselves to extending their moratoriums on nuclear testing, notifying each other about ballistic missile tests and warning each other of accidental incidents that could lead to war. These are the minimum steps necessary for coexistence. They do not chart a path for improved relations, promise an end to 50 years of mutual hatred or outline how they will tackle the underlying cause of tension, the unresolved issue of Kashmir. Nevertheless, this first summit in either country for a decade does, as the Indian press has enthusiastically remarked, break the ice.

India has been delighted with the visit, ostensibly undertaken to mark the inauguration of a cross-border bus service. President Narayanan spoke of a "new chapter" in relations and predicted far-reaching confidence-building measures. Atal Bihari Vajpayee, the Prime Minister, was more restrained, admitting that it was too early to speak of a normalisation of relations. In Pakistan the mood has been much gloomier, with pessimism over Kashmir and criticism from opportunist politicians that Nawaz Sharif, the Prime Minister, had not insisted on India signing the Non-Proliferation Treaty.

Both men have a real interest in playing the peacemaker. In India, Mr Vajpayee's Hindu nationalist Government is under attack for its earlier gung-ho rhetoric and the worldwide criticism that followed last year's decision to explode a nuclear device. The stridency of the ruling BJP's religious intolerance has awoken real fears among

India's huge Muslim minority, and even more among the small, embattled Christian community whose churches have been burnt and missionaries attacked. Mr Vajpayee needed to show that he could rise above sectarian interests to tackle the real obstacle to development in the sub-continent. In Pakistan Mr Sharif is under even greater pressure. More than India, the country has been hit by the reduction in Western aid that followed Pakistan's tit-for-tat nuclear tests. And Pakistan, its economy stagnant, can ill afford confrontation despite the harsh stridency of Islamic nationalists and political opportunists.

However broad the smiles or warm the embrace of the two leaders, their personal commitment can only start the process. Even as they spoke, suspected separatists shot dead two Hindus southeast of Srinagar and a further 12 people were killed by gunfire in Kashmir yesterday. Back home, the glow of goodwill will fade, as extremists on both sides try to wreck the talks and nationalists demonstrate against better relations. Mr Vajpayee and Mr Sharif must pick imaginative and flexible men as their chief negotiators. They must revisit the talks to insist on progress if their initiative is not to run into the same sands as the foreign ministers' dialogue in 1997. And they must produce rapid and visible benefits of the detente that create the confidence to tackle the intractable issues. Both countries went to the nuclear brink last summer. They know the costs of an arms race and that has persuaded them to join the world moratorium on testing. Until they sign, the sub-continent remains an unpredictable nuclear flashpoint.

CONCEIVING CHANGE

Disparity in IVF treatment reflects a wider NHS dilemma

Couples seeking infertility treatment on the National Health Service play a lottery of life. The table we publish today is a graphic illustration of so-called "postcode prescribing". A woman who lives in one health authority area might have to pay thousands of pounds for in vitro fertilisation (IVF) while another, living under a neighbouring authority only a few miles away, receives it free. Such disparities invariably provoke cries of "injustice" and outrage that the NHS no longer offers universality of provision. Yet with finite resources, priorities must be set. The issue is who sets them, and how.

At the moment there are no national guidelines which define who is eligible for IVF treatment or for other new expensive drugs. Throughout the country people are being denied costly medicines, such as those used to treat multiple sclerosis or motor neurone disease, often without knowing who made the decision to forbid the prescription, and on what grounds.

The Government's Stakhanovite drive to cut waiting lists by 100,000 and end waiting for cancer surgery risks distorting priorities still further. These policies might have tested well in focus-groups, but they appear to be having peculiar side-effects in hospitals and surgeries, as the Health Secretary's political needs continue to compete with patients' clinical needs. Last year, for example, eleven health authorities spent more on IVF in an attempt to cut their waiting lists. Once the queues had

shortened, some authorities ceased to offer IVF treatment altogether.

Exposing this Byzantine decision-making process to the harsh light of public accountability might be part of the solution. Although hospitals, like schools, now have their performance published in league tables, the assessment criteria do not focus on the provision of healthcare and who is eligible for it. Ministers, terrified of admitting that rationing exists within the NHS, might balk at the idea of publishing this information. Yet it might be their salvation. Health authorities, rather than successive Health Secretaries, would become the lightning conductors for patients' ire. People in the West Country might ask why Dorset can afford to offer IVF treatment while it is not available in any of the bordering counties.

More information will not address the conundrum that, however much taxpayers' money is spent on it, the NHS cannot meet soaring expectations. Ministers are pinning their hopes on the new National Institute for Clinical Excellence, which will decide which treatments the NHS should provide and issue clear guidelines of who is eligible. This should spark a long-overdue public debate about what clinical needs the overstretched NHS should meet free of charge, and what services should be paid for. Until that boundary has been defined, demands on hospitals will continue to soar, with priorities, in IVF treatment as other areas, being set in mysterious ways.

GM policy shows 'double standards'

From the Director of the Soil Association

Sir, The well-used phrase that we are treating human beings like guinea-pigs and the environment like an open-air laboratory may seem emotive in the context of the current genetically modified (GM) foods debate (Letters, February 17 and 19), yet I believe this accurately describes the Government's current policy in relation to the licensing of GM crops in trial plots and the food chain.

On food safety, at the very least, if the results of Dr Arpad Pusztai's experiments are confirmed (where rats fed on a genetically modified potato containing a lectin developed brain and immune system abnormalities), this would be cause for serious concern. This is because a GM maize with a different lectin is already in the food chain.

The Government is also adopting double standards. Its requirements during research on genetically modified organisms (GMOs) for medical application prohibit the release of any viable GMO into the environment, whereas when it comes to experiments with food crops, whose potential to damage both the environment and human health are far greater, there is no such prohibition. It amounts to an acceptance by the Government that, although the impact of this technology is still both unpredictable and untested, and if something goes wrong is unacceptable, it is acceptable to take risks with both the environment and human health.

For these reasons this association considers that the Government's current behaviour in relation to genetically modified foods and crop resistance is both complacent and irresponsible.

Yours faithfully,
PATRICK HOLDEN,
Director, Soil Association,
40-56 Victoria Street, Bristol BS1 6BY.
February 19.

From Lord Jenkin of Roding

Sir, I read Lord Sainsbury of Turville's statement (report and leading article, February 17) about his involvement with GMOs with astonishment.

When he appeared before the House of Lords Select Committee on Science and Technology on January 26, I gave him an opportunity to explain his role as Science Minister in the light of his known enthusiasm for research on GMOs. He expressed pride in having views on these subjects, and went on to say: "I am quite explicit in my views on these matters and I believe that that is a benefit rather than a hindrance to sensible decision-taking." I, and I believe others, had no difficulty with this. Clearly his advice to his colleagues would indeed be valuable.

However, he now tells us that, when GM food policy was discussed at the Cabinet committee on biotechnology, "I left the meeting."

I have now reached the stage under new Labour that as soon as a minister really knows something about a subject, he can take no further part in policy discussions? It seems that Lord Sainsbury's expertise and enthusiasm is indeed "a hindrance" rather than a benefit. Or have I misunderstood something?

Yours etc,
PATRICK JENKIN,
House of Lords,
jenkin@parliament.uk
February 18.

From Dr Rod Hudson

Sir, It seems that the provision of a six-month "safety barrier" of sterile oilseed rape would have been sufficient to prevent even a single spore of genetically modified pollen from escaping into the wider environment (report, February 18).

I must remember that next summer when suffering from hay fever caused by plants situated miles away.

Yours faithfully,
ROD HUDSON,
3 Alma Farm Road, Toddington,
Dunstable, Bedfordshire LU5 6BG.
February 17.

Progressive Judaism

From Rabbi Tony Bayfield,
Chief Executive of the Reform
Synagogues of Great Britain

Sir, May I comment on two important points arising from your report today about the decision by the Council of Christians and Jews (CCJ) to create an associate presidency.

The progressive (Reform and Liberal) and Masorti movements have not the slightest interest in the creation of another Chief Rabbi. Our own movement, the RSGB, has an Assembly of Rabbis, the chair of which is occupied by a *primus inter pares* for a specified period of office.

Secondly, the vote was not taken by "Jewish community members" but by members of both faiths attending the meeting. The vote by the CCJ to appoint an associate president is a welcome one which accords long-overdue recognition to the vital role that progressive Jewry has always played in interfaith work. It is a significant step towards a full presidency in due course.

In the meantime, however, the RSGB makes it clear that while I, as chief executive of the largest of the

LETTERS TO THE EDITOR

1 Pennington Street, London E1 9XN Telephone 0171-782 5000

Benefit cuts threat to lives of poor

From the Reverend Paul Nicolson,
Chairman of the Trustees of the
Zachaeus 2000 Trust

Sir, The Government is turning a blind eye and a deaf ear to any suggestion that a cause of poverty is a lack of money. As the Welfare Reform Bill goes into its second reading on February 23, may I draw attention to the inadequacy of the amount of money paid in state benefits.

Sir Donald Acheson recently reported that empirical evidence comes from research demonstrating that people whose incomes consist entirely of state benefits have insufficient money to buy the items and services necessary for good health.

This research is not commissioned by the Department of Social Security. The Health Committee of the House of Commons concluded as long ago as March 1992 that the Department cannot comment with authority on the adequacy of income support rates in the absence of research to support its view.

The evidence is that the poorest in the United Kingdom are sicker and die on average five years younger than their more prosperous fellow citizens, go without food at the end of the week until the next giro can be cashed, experience double the rate of divorce of other social groups and have a higher rate of suicide among young

people. Children who grow up in low-income families are more likely to leave school early, to have a lower school attendance and to have more contact with the police.

In January 1998, income support for a family with two young children after rent and council tax had been paid was £121.75 a week; half of the average income after rent and tax in the UK was £193.56 — a difference of £71.81 a week. Income support, also after rent and tax, was £39.07 a week below the threshold necessary for good health, social cohesion and satisfactory standards of child development.

In the Welfare Reform Bill the DSS sets out to reduce the already inadequate levels of benefit when people do not turn up for an interview or do not accept this job or that training, based largely on the say-so of hundreds of officials at the benefit agencies around the country.

This is a recipe for political disaster. We urge the Government to commission independent research into the cost of basic needs.

Yours sincerely,
PAUL NICOLSON,
Chairman of Trustees,
Zachaeus 2000 Trust,
The Visage, Turville,
Henley-on-Thames RG9 6QU.
February 22.

A case of 'blackmail'?

From Mr Anthony Rose

Sir, I have recently acted for a company which dismissed an incompetent female sales representative.

Advised, free of charge, by a combination of Acas and the Citizens Advice Bureau, the dismissed employee brought an action against my client for wrongful dismissal, sexual discrimination and sexual harassment. The amount claimed was £7,500. Inquiries of the company's personnel uncovered plenty of evidence of poor sales performance but none of sexual discrimination or harassment. The company offered £1,000 (with some misgivings about encouraging others) simply to dispose of the matter and its nuisance value.

The former employee refused the offer and I instructed counsel to act on the company's behalf. We then learned that the matter had been set down for a five-day hearing for the employment tribunal in Newcastle upon

Tyne. The company is based in the South of England.

The likely cost of this hearing (which would not be recoverable, even if the company were wholly successful) would greatly exceed the £7,500 claimed.

Accordingly, the only commercial view the company could take was to pay up. It agreed to do so. The employee, sensing victory, then piled on further demands for a letter of apology and for an open, glowing reference drafted by herself.

I learned, after settlement of the matter, that my client was the third consecutive employer this young lady had, effectively, blackmailed. How, in practical terms, can a company protect itself in such circumstances?

Yours faithfully,
ANTHONY ROSE
(Solicitor),
Knightsbridge Offices,
Church Road, Queensington,
Gloucestershire GL7 5BN.
February 20.

Mercenaries in Africa

From the Ambassador of Ukraine

Sir, There have been continuing references in *The Times* to the presence of alleged Ukrainian mercenaries in Sierra Leone (reports, January 13, 14, 18; February 11) and in Ethiopia (February 19).

The Government of Ukraine shares the concern repeatedly expressed by the UN Security Council at the escalating armed conflict in Sierra Leone and upholds its strong condemnation of all those who have afforded support, including the supply of arms and mercenaries, to the rebels in that country. As far back as 1990 Ukraine signed and later ratified the international convention against the recruitment, use, financing and training of mercenaries, and, in accordance with

the criminal code of Ukraine, all these practices, as well as the participation in armed conflicts without authorisation of relevant government bodies, are considered to be criminal offences punishable by imprisonment of up to 12 years.

The Ukrainian authorities have received no evidence of the presence which you report; neither was such a presence confirmed in the latest special report of the Secretary-General on the United Nations observer mission in Sierra Leone. I would be grateful for any information on the participation of Ukrainian nationals in the conflicts in Sierra Leone and Ethiopia.

Yours sincerely,
V. VASSYLENKO,
Ambassador of Ukraine,
60 Holland Park, W11 3SL.
February 19.

Labour's tax record

From Mr Nick Gibb, MP for
Bognor Regis and Littlehampton
(Conservative)

Sir, Peter Riddell ("Beware tax returns by politicians", February 17) should not give credence to Labour's fiddled tax figures. Labour have increased taxes by £40.7 billion over the course of this Parliament — over and above the tax plans inherited from the last Government — which can only mean that the tax burden will be higher under Labour.

As in so many areas, Labour are manipulating the presentation of the figures. They have altered the official definition of the tax burden, and the assumptions used in forecasting the tax take, so that comparisons with the

plans set out in November 1996 are almost impossible. Labour have also fiddled the figures by removing billions of pounds spent on the working families' tax credit from the tax burden, in order to massage down the headline figure. And Labour's tax burden numbers are based on growth forecasts which no one outside the Treasury believes.

Ken Livingstone recently admitted that "Gordon Brown has dramatically increased taxes". He is right. No one should be in any doubt that taxes and the tax burden are rising under Labour.

Yours faithfully,
NICK GIBB
(Shadow Treasury Spokesman),
House of Commons.
February 17.

Classical concerts income 'halved'

From Dr Donald Mitchell and others

Sir, On December 23, 1998, the board of the Performing Right Society (PRS), the monopoly responsible for the collection and administration of its 30,000 members' royalties earned from performances and broadcasts of their music, announced a decision that we believe will have the gravest consequences for classical music in this country.

The board has decided to withdraw the support PRS has provided for nearly 50 years to live performances of classical music (for example, of contemporary works in the annual Promenade Concerts), which in the UK earn, on average, only half the royalties paid by venues in other European countries. In recognition of this, PRS has hitherto doubled the actual royalties earned by equivalent matching funding.

It costs less than 0.5 per cent of the society's £200 million turnover to provide this support, much of which is derived from otherwise unidentifiable income (eg, blanket licence income from pubs and hotels). But the effect of its withdrawal on British composers will be devastating — a reduction of around 45 per cent in their UK live-performance income.

After thorough scrutiny, the Monopolies and Mergers Commission found in 1996 that this support had the broad approval of PRS membership. Furthermore, PRS undertook to seek the views of its membership if such support were to be reviewed or withdrawn. This arbitrary decision has been taken without adequate consultation of the membership and with no intelligible calculation of the inevitable consequences for musical culture in the UK, not only for composers but also for publishers and, in a broader perspective, concert-giving organisations, concert halls, orchestras and audiences. It is ironic that, as we write, the PRS, only now, after the decision has been taken, is distributing a questionnaire to its members.

This divisive action, is all the more unwelcome when the two great areas of "classical" and "pop" have become interdependent in ways undreamed of in the past.

The PRS must think again, or be brought to think again, before causing irreparable damage to the livelihood of a vital sector of this country's cultural life. How else will young British composers of the future be able to earn their living and make their contribution to the incomparable heritage that classical music represents?

Yours faithfully,
DONALD MITCHELL
(Chairman, The Britten Estate Ltd),
MICHAEL BERKELEY,
HARRISON BIRKSTWILE,
PETER MAXWELL DAVIES,
SIMON RATTLE,
MARK-ANTHONY TURNAGE,
83 Ridgmont Gardens,
Torrington Place, WC1E 7AY.
February 20.

Trials of sheepdogs

From Mrs Fiona West

Sir, Some 23 years ago I lived in London while helping to nurse my father through terminal cancer. An oasis of calm appeared each week on television in the form of *One Man and His Dog*. I now live in rural England with two Border collies resting at my feet as I write. The programme that introduced me to the symbiosis of spectacular countryside and these exceptional clever dogs is to be axed by the BBC (report, February 17).

I conclude that the sheepdog's crime is its inability to use a saucy or to exhibit cheap humour, sex or bad language.

Deprived of its natural environment, the BBC Border collie is likely to be relegated to guest appearances on vets' programmes. The sheepdog's heritage and craft will therefore be lost to both town and country viewers.

Yours,
FIONA WEST,
Lea Cottage, School Road, Barnack,
Stamford, Lincolnshire PE9 3DZ.

The English identity

From Mr Terry Curthoys

Sir, I have always believed that the quotation referred to by Dom Abberic Staupole in his letter (February 22) in fact was: "An Englishman considers himself a self-made man, and thereby relieves the Almighty of a dreadful responsibility."

Yours, etc,
TERRY CURTHOYS,
Hillcot House, Bitterley,
Ludlow, Shropshire SY8 3HR.

Muddled mythology

From Mr R. P. C. Plowden

Sir, "Oedipal fury drove son to murder", screams a lurid headline in today's *Times*.

This is confusion worse confounded. According to Greek myth Oedipus killed his father. He slept with his mother, but was not aware of the relationship at the time. He was very upset when he found out, but he wasn't furious.

Yours faithfully,
R. P. C. PLOWDEN,
22 Prince Edward Mansions,
Moscow Road, W2 4WA.
February 17.

Letters to the Editor for publication should carry a daytime telephone number. They may be sent to a fax number — 0171-782 5046 — or by e-mail to: letterstothetimes.co.uk

THE CHILDREN'S SOCIETY

SPONSORED SECTION

A century of refuge for waifs and strays

Christopher Warman introduces a two-page report on a charity dedicated to helping today's underprivileged youngsters

Ian Sparks thought — as fathers do — that his daughter, born in the early Seventies, was exceptional. He was working for The Children's Society with deprived families in the North West, and it took him 18 months to realise that his daughter was normal, while the children he met through his work were falling behind.

"They were not being stimulated, were really having a poor start," he recalls. "Their parents were having a difficult time and the children were missing out."

Now chief executive of The Children's Society, Mr Sparks remembers that example, which illustrates why the society exists and what it aims to do. In the middle of a three-year campaign to raise £12 million to emphasise its intention to be a "force for change", it is developing a series of challenging programmes to help children and young people who are in danger of slipping through society's safety net. He is conscious that, as the millennium approaches, the society, founded in 1881 as the Waifs and Strays Society, still faces a massive task.

In education, the society is giving children threatened with exclusion a second chance by helping to identify the causes of their disruptive behaviour. Its remand rescue programme works with

youths of 15 and 16 on remand, trying to keep them out of prison. Much of its work is involved with seeking out and helping runaways who are condemned for a variety of reasons to living on the streets. The root cause lies in the deprivation into which they are born, and the society works in the communities to try to im-

prove the environment. The fifth main programme is simple: trying to make sure that children eat properly.

The charity deals with children born into poverty, but it is not just poverty that is the problem. "The kids are not ready for school. Teachers have to teach them how to play, to relate, to learn. Early in their life youngsters get a feeling of hopelessness from their parents. The

children have got potential, and could achieve something, but in many cases they do not get the chance," Mr Sparks says.

He accepts that the society cannot come in with ready-made solutions. "People are fed up with experts parachuting in and imposing solutions. It is working with people that

no government help to pay for this work with some of the country's most vulnerable children, and has to raise £1.2 million a year to fund its projects.

Mr Sparks knows that the society must take a robust view on its campaigns, even if it upsets some people. "It is important to speak out. We played a part in getting chang-



The Children's Society

chain, for example, where we could rent a room from time to time. We cannot do this at present because every room has to be sanctioned by the Government."

The society has come in for criticism by urging schools not to exclude pupils. "The argument is that you should not make a class suffer for one disruptive pupil. But for that one, you are building up more problems for the future by exclusion. We must do something positive for excluded pupils," Mr Sparks says.

While accepting that there are enormous difficulties, he believes that in the communities in which it operates there is beginning to be a feeling that there is now hope. The society realises that with its staff of 1,250 and an annual income of £26 million, it cannot cover the whole country, though it has

projects in most large conurbations. "So many of the young people we work with look at the future with little hope, and see only problems... That is why we have launched our five national programmes which target key areas — on the streets, in the home, in schools, in prisons and in communities under pressure — where we can help them to make the most of their lives," Mr Sparks emphasises.

Walsall council partially adopted the scheme two years ago and a librarian at Brownhills, one of 19 libraries in the borough, decided that it would help to extend the idea towards reading in groups.

With the help of the society's family centre in Walsall, the first "cradle club" was formed a year ago, and has proved "an outstanding success", says Graeme Cockcroft, the project co-ordinator.

"We have had 50 to 60 people through the door, meeting once a week, with babies as young as two weeks, but most a few months old, accompa-



Learning curve: the baby reading scheme has proved beneficial to toddlers and mothers

Baby story with a happy ending

A reading club for babies may sound a far-fetched idea, but it is a reality in Walsall, West Midlands, and proving one of the most successful schemes started by The Children's Society, Christopher Warman writes.

It is benefiting both babies and their mothers living in some of the most deprived parts of the town.

The idea emerged from a national scheme called Book Start that began in the early 1990s, in which books are delivered to young babies. That has shown to give an advantage to children when they start school, but the difficulty is that parents are left to their own devices and often do not take advantage of the opportunity.

Walsall council partially adopted the scheme two years ago and a librarian at Brownhills, one of 19 libraries in the borough, decided that it would help to extend the idea towards reading in groups.

With the help of the society's family centre in Walsall, the first "cradle club" was formed a year ago, and has proved "an outstanding success", says Graeme Cockcroft, the project co-ordinator.

"We have had 50 to 60 people through the door, meeting once a week, with babies as young as two weeks, but most a few months old, accompa-

nied by their mums, sometimes their dads, and also their grandparents.

"The babies are encouraged to play together, and it is amazing to see the body language as they become aware of each other and play together. Then the books come out, with one parent starting to read to the group. To see a significant number of the babies sitting in rapt attention to the stories is wonderful. The stories are repetitive and onomatopoeic to give them attractive cadences, and you can see some of the babies concentrating."

Cockcroft says that many of the mothers have not had experience in reading or being read to and are used to having the TV on all the time. "Some of the parents did not grow up with books in the house and need extra encouragement to make reading a natural part of their children's lives."

"The spin-offs from the scheme are there to see: the mums are getting out of their home and are setting up a network of friends; the babies are developing all kinds of skills, learning to be part of a group, and learning listening skills and concentration — all needed to help in the education setting they will find later."

Yvonne Smith brings her one-year-old daughter, Charlotte, to the club every week.

"It is a wonderful idea," she says. "I find the group very helpful. I didn't know you could try reading so early."

The first group are now toddlers, so the library is no longer suitable for them. The society has provided premises, enabling them to carry on, and the parents are always asking for more. The society is also providing informal courses in basic play, social behaviour, and assertiveness to help their development.

Research carried out at Birmingham University into the effect of the Book Start scheme has shown that the children taking part in it had a significantly better chance of success in education.

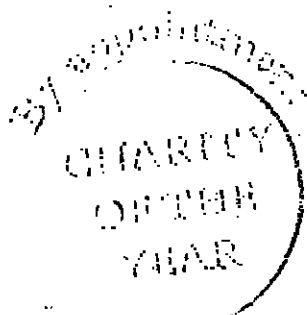
As a result of the Brownhills experiment, the scheme is being extended to all 19 libraries, of which ten are now operating. "As far as I am aware, this is the only such scheme in existence, but I would be delighted if there were others," Cockcroft adds.

The society's work does not end when the children get to school. It has after-school groups for children from 4 to 8, who are identified as likely to fail in school. Children and parents are offered guidance and advice, and by working with them and the schools "we aim to stop these children slipping through the net".

OyezStraker, the UK's largest independent office supplies and services group, is pleased to appoint The Children's Society as its charity of the year.



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How Hillbilly Land was tamed

MOST large cities have them, fringe housing estates spiralling into decline and taking a beleaguered community with them, places scarred by vandalism, crime, unemployment and fear.

Hillside, in Huyton, on the outskirts of Liverpool, is one such neighbourhood. But it is now fighting back, helped by the parents of disaffected youngsters who caused the problems in the first place.

Youth unemployment is more than 50 per cent and the number of children living in homes that rely on state benefits is four times the national average. Teenagers bored and antagonistic, rejecting the society that rejected them, still hold high expectations, fed by television, advertising and a clear view of the consumer society.

"Where we managed with a skipping rope as kids, it now has to be BMX bikes, computer games and designer trainers," says a mother who grew up on Hillside. Youngsters had only cold intolerance for their elders. Her 14-year-old son had learning difficulties and behaviour problems, and had not attended school for two years. Things got so bad the entire family was threatened with eviction.

"He's no angel," she admits, "but surely, at 14, he can't be beyond help. I feel that something is happening now, something positive is starting."

People saw their cars being broken into outside their own homes, yet were too afraid to tackle those involved or give evidence against them. Hillside's reputation was so bad that contractors refused to enter the estate. Any house that fell vacant was immediately vandalised. A hardcore of 20 or 40 youngsters, mostly in their teens and some of them third generation unemployed, caused mayhem.

"People were scared to give evidence, some were scared to leave their own homes," says Inspector Peter Owen, at Huyton police station.

Hillside became known as Hillbilly Land. Children with an attitude problem, like char-

Hillside was a notorious no-go zone until the tide of crime was turned. Ronald Faux reports



HIYA: Margaret Mills (centre) with members of her team

acters from *Lord of the Flies*, reached a point where their behaviour caused the community to rebel and demand action.

One residents' association meeting — normally apathetic gatherings attended by fewer than a dozen — proved a Rubicon. A crowd of 150 very outraged people turned up, threatening to take the law into their own hands.

The estate had become one of the worst in Liverpool, but the police alone would have been unable to deal with the problems. Already, roads had been blocked off and speed ramps installed to deter joyriders. "They spent huge sums on measures like that, that simply didn't work," a parent complains. "The joyriders just used the speed ramps to get airborne."

A strategy was needed to involve the whole community — which is where The Children's Society came in. Immediate action "drenched" Hillside with police for two months last autumn. It proved to be a stabilising influence but could not be sustained indefinitely.

A community police officer moved in and closer links with community service and youth organisations were set

up. Margaret Mills, a former teacher, probation officer and now a community initiative worker with The Children's Society, set about the daunting task of helping seriously disaffected children and parents. They formed HIYA (Hillside Initiative Youth Activities), an acronym suggesting a cheerful greeting and the upward direction they intended to go.

"You can't change things overnight. That's simply not possible. The problem is with bored kids... with nothing to do, no jobs and little prospect of getting a job. A lot of them left school early, with no qualifications, so everything they share is negative, like the attitude of the community to them," she says.

HIYA took positive action towards repairing the social damage. More than 4,600 people live on Hillside estate, yet most of the trouble was caused by probably no more than 40 teenagers between 14 and 17. Parents facing orders under the new Crime and Disorder Bill, with the ultimate sanction of eviction from their homes if offspring refused to mend their ways, shared social isolation and ostracism

with their children. So HIYA held social evenings for them at The Children's Society premises. "Before this, they had nowhere they were accepted," says Ms Mills. "The attitude of residents, and the authorities, towards them was negative and, under all their bravado, they were scared and confused. The only way they knew to react was to stick together and, when accused, to retaliate. You couldn't call them a gang: there's nothing organised and little evidence of drugs. They aren't low achievers, they are really no achievers, who need help."

Now, at risk of apparently rewarding bad behaviour, a group of up to 40 vulnerable youngsters have been chosen to take part in an eight-month youth activity programme. It will include canoeing, fell walking and a cruise on a tall ship to the Continent. It will cost around £45,000, some of it raised from government programmes but a substantial part from local initiatives.

If sticks are unlawful, the only incentive left to encourage good behaviour is more carrots. Already, attitudes on the estate have changed.

"People will actually talk to the police, whereas before they would not acknowledge us," says Inspector Owen.

"The impact on crime figures is also encouraging in every area. Burglary, criminal damage, theft of vehicles and from vehicles are down by as much as 25 per cent in a year. Youth disorder complaints have been halved."

The Government's New Start strategy considered it to be common sense that young people would be more willing to relate to local people they knew rather than to strangers from the welfare system.

"Hillside recognises that," says Ms Mills. "Someone had a video of a TV programme about the estate's problems. It included young people asking for a community centre and some open space for a football pitch. That programme was broadcast 14 years ago. 'They're still asking.'"

THE CHILDREN'S SOCIETY

SPONSORED SECTION

Rescue for the remanded

Locking up 15-year-olds who are on remand is shameful, it is claimed. Craig Seton reports on a campaign for a humane policy

The light, airy atmosphere and the Mozart being piped into the corridors cannot disguise the reality that Unit 15 at Glen Parva Young Offenders Institute (YOI) in Leicestershire is a prison in all but name. The unit is a special wing housing more than 80 young men aged between 15 and 17 who have been remanded in custody by the courts. They spend most of their time locked up.

These youths await further court proceedings or sentencing for alleged offences which range from shoplifting and burglary to assault and murder. Their stay at Glen Parva, a YOI for males aged up to 21, can be for just a week or for several months.

There are 1,855 males in the 15 to 17 age group now serving sentences or on remand in Britain's prisons and YOIs. Many are given custodial remands because of a severe shortage of secure social services accommodation. Of that total, 232 are remand prisoners aged 15 or 16, and it is the plight of these teenagers, who have not been sentenced, that is the focus of a national initiative by The Children's Society.

The society believes that the practice of locking up such young, often vulnerable people before they have been convicted of a crime is shameful. It brutalises young men, exposes them to bullying, drugs and the risk of self-harm, and puts them in the company of other youths with criminal records. It does little to reduce the number of offences or to protect the public, the group claims.

The initiative, known as Remand Rescue, was launched

two years ago to push for an end to prison remands for 15 and 16-year-old males and to help in finding community alternatives for those already in prisons and YOIs.

The Children's Society wants the implementation of section 60 of the 1991 Criminal Justice Act to end remands for 15 and 16-year-olds in prison. Although the Home Office says it intends to eliminate all remands for under-17s in prisons and YOIs, it admits there is no timetable because of a lack of places in secure local authority accommodation.

The Remand Rescue programme allows Children's Society staff to work inside the YOIs at Glen Parva, Doncaster in South Yorkshire, and Feltham, just outside London. The society's representatives assess boys of that age group who arrive on remand, then try to arrange bail, remand fostering or remand to secure local authority accommodation as an alternative to prison.

Within 72 hours of an individual arriving, Janet Chown, The Children's Society's project leader at Glen Parva, has gathered information on his alleged offence, possible criminal record, health, emotional and educational needs. Through local authority youth justice teams and other agencies, she tries to find a non-prison alternative until the youth comes up for sentence.

Since last March, 37 of the 171 inmates assessed have been "rescued", ie, found community alternatives. The unit currently houses twelve inmates aged 15 and fourteen inmates aged 16. No criticism is levelled at the YOI staff by Ms Chown, who says they do their best with limited resources.



Janet Chown, a Children's Society project leader, meets juveniles at the Glen Parva institute in Leicestershire

Segregation within Unit 15 for the 15 to 17-year-old inmates was introduced last year to keep them away from hundreds of sentenced prisoners at Glen Parva. Two youths share each cell into which soothing music is piped to create a calming atmosphere.

"The inmates do have education and association groups but they are mostly locked up in their cells from 4.30pm to 7.30am," Ms Chown says.

"Bullying goes on, they get little fresh air and they complain that they do not get enough food. This kind of regime is not right for children — it brutalises them. I have seen kids come here a second time round who have already lost their fear of prison. The deterrent factor has gone."

Ms Chown insists that the best option for young people who have been charged with very serious offences is secure local authority accommodation where the youths' needs can be addressed. One of the greatest concerns is the risk of self-harm and even suicide among juveniles who cannot cope with a prison regime.

Doug Friend, in charge of Unit 15, believes it is the right place for many of the juveniles, but concedes that teenagers on lesser charges could be better off in a hostel or home environment. He has 14 officers working with him who were especially picked to deal with juveniles. Each must demonstrate compassion and patience and all are prepared to counsel boys one-to-one.

CASE STUDY

THREE older inmates have been enlisted by staff to advise and counsel younger boys in Unit 15. One prisoner, aged 18, on remand charged with murder, was chosen because of his progress, maturity and helpful attitude in his ten months at Glen Parva awaiting trial.

He says: "I was suicidal when I first came here. It was scary because I bottled everything up, but I got a lot of help and support from the staff." He believes that custodial remands can be a useful deterrent. "Coming into a place like this will perhaps stop someone reoffending. Once they have had a taste, they will not want to come back."

The two other inmates, aged 19 and 20, have been trained by the Samaritans to act as "listeners" to hear the confidential grievances and concerns of younger boys. The 20-year-old, serving three years for car theft and burglary, admits that he has picked up hints from more experienced car thieves in prison — confirming Children's Society fears that prisons can act as "colleges of crime". He says that the "listeners" can inform staff about cases of bullying, for instance, only if the victim asks them to. "Some lads do get bullied, but we never take the law into our own hands. When somebody comes to us, we stress that it is confidential."

Teams who win the trust of runaways

The facts explain the scale of the challenge — 43,000 children run away every year, more than 100 a day, a third of whom are victims of beating or abuse. In 1994, research showed that 10,000 young people had run away ten times or more by the time they were 16, Christopher Warman writes.

The Children's Society runs three refuges where children and young people can be provided with emergency accommodation, a safe place to stay while they decide what to do next.

The Society also has two streetwork projects, in Birmingham and Manchester, where staff seek out young people up to the age of 18, but particularly under 16. Some will have spent time away from home and care, and have little or no contact with their families, social services or school. Many have suffered abuse or neglect and have become wary of the adult world.

The Safe in the City project in Manchester was set up in 1990 to help runaways on the streets of the city centre. Members of the project team patrol in pairs, armed with items including underwear, toiletries and chocolate, talking to street people to find out where the youngsters may be.

Andy McCullough, team leader, says that there are many reasons why young people run away — they may have been ejected from their home; feel neglected; have been abused, emotionally or physically; or have been bullied at school; or have been the victims of family breakdown. "They certainly do not run away to have a good time, and although running away may solve the immediate problem, they are in fact exchanging one set of problems for another," he says.

"We try to get them to trust us; we will not tell anyone about them unless they are in real danger. Some of them are safer on the streets than at home."

If the youngsters agree, project staff will talk to social services or to their parents for them. The main aim is to reduce the risks that they face and, where possible, to help them to return home or to find a safe place to stay.

The teams can find up to ten young people on the streets in a night, some as young as nine or ten.

The Children's Society's streetwork and refuge programme began in the 1980s and operates in Manchester, Leeds, Birmingham, Bournemouth and Newport. It costs £1.2 million a year to run, funded totally by the Society.

One of many youngsters helped by The Children's Society in recent years was Oliver, who has moderate learning difficulties. His family felt that they could not look after him, so he went into care at the age of 13. Although he had been happy at his first children's home in the North West, he was moved to another home in a different town when he was 15. He was bullied and beaten up by boys on his way to school, but felt that he could not confide in the staff.

He wanted to return to his parents, but they were unable and unwilling to have him back. So finally he ran away — seven times in all.

The Safe in the City project heard of Oliver from workers operating a soup run in Manchester, and found him at the railway station.

Andy McCullough recalls: "It was apparent that Oliver was in real danger. This was no streetwise kid — he was wearing spectacles fixed with white tape, he looked terribly young, his manner was naive and even his clothes made him stand out. He was relying on soup kitchens for food and sleeping in railway stations at night. He was very trusting and saw no danger in speaking to adults."

Although he was reluctant to return to the home, project staff took him back and explained to one of the social workers that Oliver had been bullied. "The staff at the home had no idea that had been victimised and had not realised how unhappy he was. After that, they made sure that Oliver was happy and reassured, and could talk about his fears and anxieties."

Another youngster helped by the project was John, whom they first met on the streets of Manchester when he was 12 years old. He said that he had been badly bullied at school and, when he plucked up the courage to tell his Dad, had been told to "toughen up".

Feeling that he had no one else to turn to, he began running away from home, each time for a longer period than the last. "At his age, he was clearly very vulnerable," a spokesman for the Society says. "Our workers talked to John about his worries. His main concern was his Dad's reaction and the bullying he had suffered."

"With John's permission, we contacted his parents who said that they had no idea how much his problems at school had been affecting him. They met John at the Safe in the City project and staff discussed his worries with them, and offered support to John while he explained his fears and worries. They also contacted his teachers and told them about the bullying."



Young runaways are vulnerable. Picture posed using a model

Tony Dawe reports on a society centre which has been the salvation of many troubled relationships

At first glance, a family centre in the socially named Coffee Hall district of Milton Keynes looks just the same as other homes on the estate. It is made up of bungalows similar to the rest on the street.

The rooms are homely, with a smart kitchen, shabby lounge and functional dining room. Only the playground is different, large enough to keep a dozen children entertained for hours.

The homeliness is intentional, for the purpose of the centre is to keep families together, to overcome the traumas which could prevent them living as one in their own home and could consign the children to institutions far more formal than the Coffee Hall family centre, which is run by The Children's Society.

Jenny has been a regular visitor with her son Nicholas, eight, and daughter Ann, four. She is resigned — for the present at least — to being a single mother after splitting with her husband and then a second partner, but she fears for the break-up of the rest of her family under the strain.

"Nicholas couldn't play with any of the children at school and at home he would fly into rages, breaking toys and trying to hurt himself," she says. "He put his hand on the cooker, climbed into a scalding bath and hit himself with his own toys."

"At other times, he would over-compensate for being the only male in the house: make the tea, do the Hoovering and boss Ann about."

The problems were obvious to Jenny's health visitor but persuading her to get help was difficult. She had sought counselling from a charity as a troubled teenager but confidences were broken and she found herself an outcast in her own family.

She also suffered from a common reluctance to become involved with a social services department. Her case was referred to the Children's Society, which has a service agreement

Families under threat



Child in turmoil: unloved and vulnerable, a typical victim in need of help. Our picture is posed by a model

with the local department to help with child protection in the town.

"When I first came here, I was very depressed, very emotional, bitter and angry about what had happened to me," Jenny continues.

"I took on the children's anger. I felt bad for them because they hadn't got a Dad any more."

Jenny can now recall with a smile the time she was asked to do a drawing depicting how she saw herself.

I drew this tiny little figure in the middle of this huge piece of white

paper," she explains. After school, at weekly sessions, workers at the centre tried to build up Jenny's self-esteem, to develop a strategy for dealing with Nicholas's worst excesses and to help him learn to play.

"They made me realise that I had some good points: that I kept the children clean and safe and could communicate with them," she adds.

"I felt I could trust the people here. If I had a really bad day and felt like screaming, I could tell them the truth without worrying about what would

happen to me or the children. They taught me that, if things reached breaking point at home, I should go and have a bag in the garden or lock myself in a room until I had calmed down."

"They taught Nicholas that Mum is big enough to look after herself and that he should look after himself and start to enjoy playing."

With the help of drawing and simple games, workers improved Nicholas's low levels of concentration so that he could stick at something for

minutes rather than seconds. Jenny and her children have attended the centre for 18 months, which is longer than most. "Once families leave, we seldom see them again," says Robert Owen, the project manager, "and we hope that is proof of a high success rate."

"When cases are referred to us, we look at the family as a whole, discuss their history and then talk to them individually if they are old enough."

"We make direct observations of how they relate to each other and try to build up a complete picture with the help of schools, GPs and health visitors."

"We can then make recommendations about what should happen to them. If we feel that the children are at risk and there is no way of avoiding it, we would have to recommend removing the children from the family, but we always hope that we can achieve something more positive."

Owen, with more than 30 years of experience in child care, is proud of the centre's work with young children but is also developing parent groups, work with over-eights and weekly luncheon clubs for the young homeless of Milton Keynes.

It is keeping families together, however, which gives him the greatest satisfaction. He talks with enthusiasm about Brian, a volatile father, his wife Jo and their four children, one aggressive, another withdrawn and a third sickly.

"It took a good four months to engage this family," he says, "but we have now moved from intermittent contact to regular meetings. We are discussing their relationships with each other and hope that, by alerting them to their attitudes and behaviour, the children will benefit."

"Brian recognises that he could lose his children if he does not co-operate."

If you believe every child deserves a decent chance in life, you believe in everything we stand for.

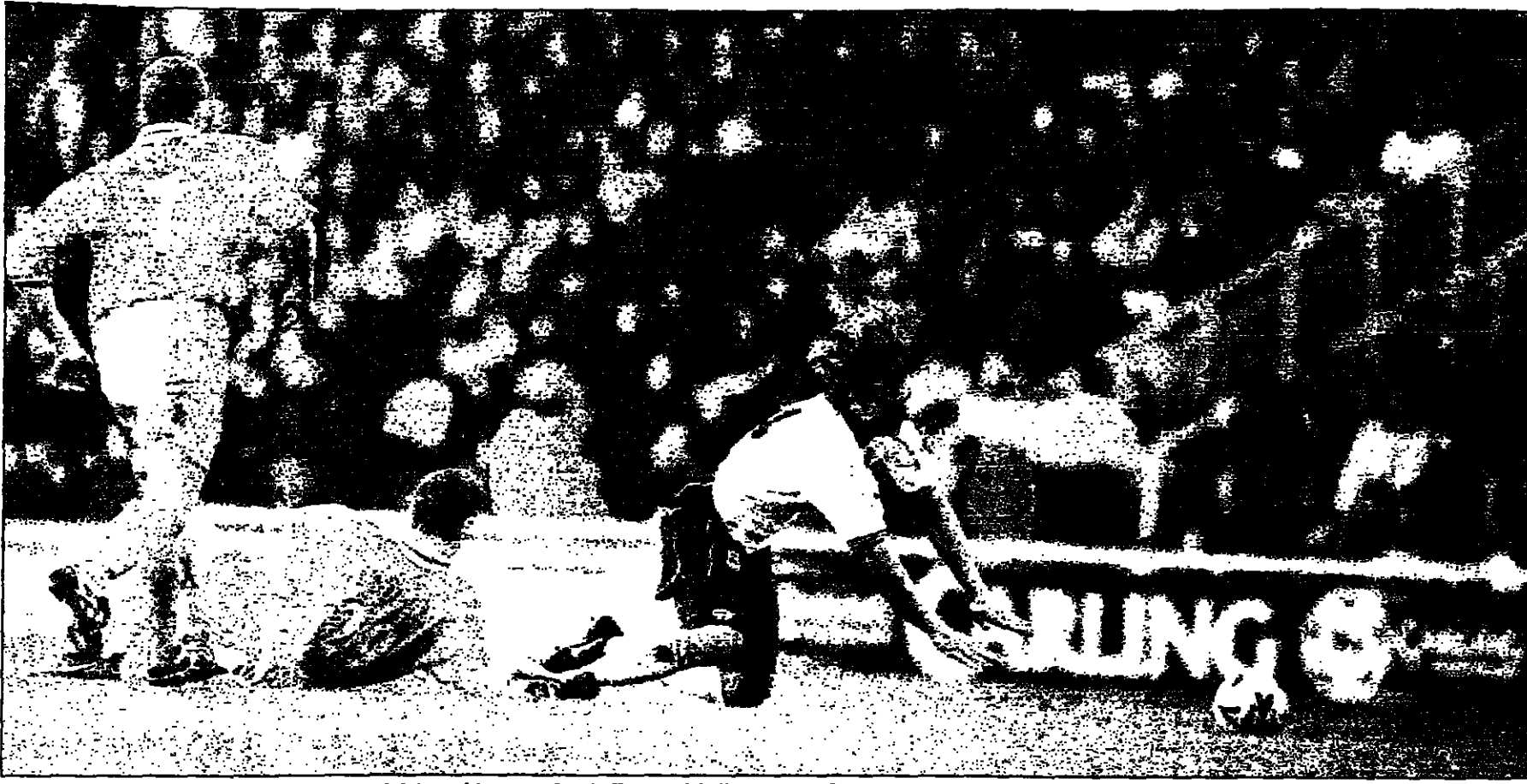


Photographs modelled by The Children's Society

If you would like more information about the work of The Children's Society or to make a donation, please call 0845 600 4400

The Children's Society

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www.the-childrens-society.org.uk
Charity Registration No. 221124



David Ginola of Tottenham Hotspur (right) tumbles over the challenge of Colin Cooper of Middlesbrough during Saturday's game at the Celtic Riverside Stadium.

Cracks show as Leicester defenders feel pressure

After a week without a weekly prize or new ON-Target numbers, we are back to normal, after a set of FA Carling Premiership matches which have had a significant effect on the scores in the player lists (right).

Middlesbrough and Leicester City conceded five goals in a match and, while the Boro defenders salvaged some pride (and Fantasy League points) from a goalless draw at home to Tottenham Hotspur, players such as Steve Guppy, Kasey Keller, Robert Ullathorne and Matt Elliott, who have been big contributors to successful teams, cost their fantasy managers dearly.

For once, Dwight Yorke did not trouble the scorers, with Andy Cole and Ryan Giggs netting the Manchester United goals against Arsenal and Coventry City respectively. Yorke unable to get so much as a flick on to claim an assist. And after his four-goal salvo against Nottingham Forest hit the headlines a fortnight ago, Ole Gunnar Solskjaer was reduced to the small print.

Next week, we will announce the name of the monthly winner for February, who will receive £1,000 plus £100 worth of Puma sports equipment. A further prize of £500 plus £100 worth of sports equipment will go to the weekly winner. This week, the winner of the ON-Target competition, like the weekly winner, receives double the usual prize-money. Since no prizes were awarded last week because of the cancellation of most FA Carling Premiership fixtures on FA Cup fifth-round weekend, the cash prizes have been "rolled over" to this week. So, if your team total according to the player lists adds up to 2, 4 or 8, follow the instructions opposite and you could be £1,000 better off.

When the league tables published in newspapers start to include the dotted lines indicating the promotion, play-off and (gulp) relegation positions, it is a sure sign that the season is moving into its

most serious phase. That four-point lead of Manchester United is beginning to look considerable to Chelsea and Arsenal, but to those at Old Trafford, wins for their two closest rivals will have done nothing for the nerves.

It is much tighter at the top of the Times Fantasy League. A six-point gap means almost nothing, considering that this week's winner (see opposite) scored 39.

Hence Phil Clarke, manager of Shabadi United, the overall leaders on 306 points, must be looking nervously over his shoulder at Robert Little's Broken Arrow, former leaders, on 298, and Sarabjot Kohli's Junglemen, two points further back. United had six non-scoring players in their XI, but David Seaman,

Michael Ball, Sol Campbell and Robbie Fowler each contributed a steady three points each. Nolberto Solano weighing in with one more. Broken Arrow could manage only nine points.

The Junglemen shot into third place on the strength of a 17-point weekend, overtaking James Kerr's Serious Squad, who scored only eight points. Coming up on the rails into fifth place are David Young's Dave 10, who scored 24.

For legal reasons, The Times Fantasy League is no longer able to accept entries from players under 18 years of age. Players 17 years and under already registered in the main and youth leagues will, however, be allowed to remain in the competition.

As I was saying

There were some big Fantasy League points scores over the weekend. Did any of them benefit any of your teams? Pretty much the reverse, actually.

How so? Well, as you know, I have an admiration for certain Leicester City players, and having Matt Elliott in one of my teams did nothing for its score, as Arsenal put five past them.

Yes, I noticed Steve Walsh asking for Dennis Bergkamp's shirt afterwards, but I don't suppose Bergkamp asked for a Leicester top. Perhaps he doesn't like blue. Well, that is, of course, quite possible, especially with black stripes, after the hard time he had with Inter. Speaking of colours, what colour would your fantasy teams play in, if they were out there on the park for real? Probably a sort of pale yellow.

You mean lemon? Or brown, perhaps? It would certainly suit the way most of the players in my teams performed this weekend.

You've got three teams, though. Surely someone must have had a good game? I had some good performers, but not big points-scorers. No Anelka, no Barnaby, no Hasselbaink, then? Unfortunately not. Not even a David Unsworth or a Peter Rudi. I signed Chris Marsden, Southampton's new guy, as soon as he

became available. I've always thought he looked good for Stockport and Birmingham. And I was proved right to some extent on Saturday — he played so well for Southampton against Newcastle that Dave Jones, the Saints manager, praised him to the heavens after the game.

I noticed that. But what's the problem? Simply that, because he didn't score or set up a goal, I don't get any points for him.

How do you come to know so much about Stockport and Birmingham, then? You've got to be a keen student of the game at all levels these days, I reckon. After all, players in the Nationwide League today are tomorrow's stars of the FA Carling Premiership and hence the Fantasy League. Wouldn't you be better off studying the Bulgarian third division or the Macedonian Premier League, with the number of cheap foreigners coming in?

I can't use my railroad on a cheap day return to Sofia.



CHOOSE YOUR PLAYERS FROM HERE

Columns show: code, name, club, weekly points, total points, value (£m).

GOALKEEPERS

CODE	NAME	CLUB	WEEKLY	TOTAL	VALUE
102	D Seaman	ARS	3	3	3.7
103	A Hogg	ARS	0	0	1.2
104	M Donnelly	AST	0	0	1.2
105	A Smith	AST	0	0	1.2
106	J Foy	BLA	0	0	1.2
107	T Foy	BLA	0	0	1.2
108	T Foy	BLA	0	0	1.2
109	T Foy	BLA	0	0	1.2
110	T Foy	BLA	0	0	1.2
111	T Foy	BLA	0	0	1.2
112	T Foy	BLA	0	0	1.2
113	T Foy	BLA	0	0	1.2
114	T Foy	BLA	0	0	1.2
115	T Foy	BLA	0	0	1.2
116	T Foy	BLA	0	0	1.2
117	T Foy	BLA	0	0	1.2
118	T Foy	BLA	0	0	1.2
119	T Foy	BLA	0	0	1.2
120	T Foy	BLA	0	0	1.2

FULL BACKS

CODE	NAME	CLUB	WEEKLY	TOTAL	VALUE
203	A Smith	ARS	3	3	3.7
204	A Smith	ARS	0	0	1.2
205	A Smith	ARS	0	0	1.2
206	A Smith	ARS	0	0	1.2
207	A Smith	ARS	0	0	1.2
208	A Smith	ARS	0	0	1.2
209	A Smith	ARS	0	0	1.2
210	A Smith	ARS	0	0	1.2
211	A Smith	ARS	0	0	1.2
212	A Smith	ARS	0	0	1.2
213	A Smith	ARS	0	0	1.2
214	A Smith	ARS	0	0	1.2
215	A Smith	ARS	0	0	1.2
216	A Smith	ARS	0	0	1.2
217	A Smith	ARS	0	0	1.2
218	A Smith	ARS	0	0	1.2
219	A Smith	ARS	0	0	1.2
220	A Smith	ARS	0	0	1.2

CENTRE BACKS

CODE	NAME	CLUB	WEEKLY	TOTAL	VALUE
303	A Smith	ARS	3	3	3.7
304	A Smith	ARS	0	0	1.2
305	A Smith	ARS	0	0	1.2
306	A Smith	ARS	0	0	1.2
307	A Smith	ARS	0	0	1.2
308	A Smith	ARS	0	0	1.2
309	A Smith	ARS	0	0	1.2
310	A Smith	ARS	0	0	1.2
311	A Smith	ARS	0	0	1.2
312	A Smith	ARS	0	0	1.2
313	A Smith	ARS	0	0	1.2
314	A Smith	ARS	0	0	1.2
315	A Smith	ARS	0	0	1.2
316	A Smith	ARS	0	0	1.2
317	A Smith	ARS	0	0	1.2
318	A Smith	ARS	0	0	1.2
319	A Smith	ARS	0	0	1.2
320	A Smith	ARS	0	0	1.2

CODE	NAME	CLUB	WEEKLY	TOTAL	VALUE
410	A Thompson	AST	2	2	4.5
411	F Parnall	AST	0	0	1.6
412	I Hogg	BLA	0	0	1.2
413	I Hogg	BLA	0	0	1.2
414	I Hogg	BLA	0	0	1.2
415	I Hogg	BLA	0	0	1.2
416	I Hogg	BLA	0	0	1.2
417	I Hogg	BLA	0	0	1.2
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422	I Hogg	BLA	0	0	1.2
423	I Hogg	BLA	0	0	1.2
424	I Hogg	BLA	0	0	1.2
425	I Hogg	BLA	0	0	1.2
426	I Hogg	BLA	0	0	1.2
427	I Hogg	BLA	0	0	1.2
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475	I Hogg	BLA	0	0	1.2
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477	I Hogg	BLA	0	0	1.2
478	I Hogg	BLA	0	0	1.2
479	I Hogg	BLA	0	0	1.2
480	I Hogg	BLA	0	0	1.2
481	I Hogg	BLA	0	0	1.2
482	I Hogg	BLA	0	0	1.2
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495	I Hogg	BLA	0	0	1.2
496	I Hogg	BLA	0	0	1.2
497	I Hogg	BLA	0	0	1.2
498	I Hogg	BLA	0	0	1.2
499	I Hogg	BLA	0	0	1.2
500	I Hogg	BLA	0	0	1.2

Select a team of 11 Premiership players from those listed right. The total value of your team must not exceed £50m and you cannot choose more than one player from the same Premiership club. Your team must be in a 4-4-2 formation with: one goalkeeper; two full-backs; two centre-backs; four midfielders; and two forwards.

TO ENTER BY POST Name your team on the entry form, left, in no more than 16 characters. Enter the correct three-digit player codes from the list, right, followed by the players' names. Enter the first three characters of each player's name under the heading CLUB, ie, LEE for Leeds. Also enter the value of each player shown on the list right. Add up the values of the 11 players in your

team and make sure the total does not exceed £50m. Send your entry to the address shown, with a cheque/PO for £2.50 (£10 sterling outside UK or ROI) or your credit-card details. You will get confirmation of your team and your personal identity number (PIN) on receipt of your entry form. Readers under 18 should seek parental permission before entering. They must state their date of birth and indicate if they wish to enter our Youth League.

LUCKY DIP If you would like us to select a team at random for you, please tick the Lucky Dip box on the entry form. Postal entries only.

TO ENTER BY PHONE Call 0640 67 88 99 (+44 870 901 4209 outside the UK) using a touch-

tone (DTMF) phone and when prompted tap in your 11 three-digit player codes. You will be asked to give the name of your team (no more than 16 characters). You will then be given a 10-digit PIN. Make sure you write this down and keep it safe to be able to check your team's progress and make transfers. Calls last about seven minutes. 0640 calls are 60p per minute. Calls from outside the UK are charged at national rates. Calls from payphones cost approximately double.



FANTASY LEAGUE SERVICES

Use these numbers for all the information you need:

CHECKLINE

To check your team's standing

0640 625 102

(ex-UK +44 870 901 4292)

TRANSFER LINE

To alter your team

0640 625 103

(ex-UK +44 870 901 4293)

0640 calls cost 60p per minute (ex-UK numbers charge at national rates)

FAXBACK

A comprehensive update sheet

0991 123 720

(ex-UK +44 870 901 4280)

SUPER LEAGUE FAXBACK

A brand new service

0991 123 721

(ex-UK +44 870 901 4279)

Faxbacks cost £1 per minute (ex-UK numbers charge at national rates)

HELPLINE

For any queries

01582 707220

Submit your entry as soon as possible to maximise your point-scoring opportunities

FANTASY TEAM NAME (up to 16 characters) _____

LUCKY DIP If you wish to have your team selected by us at random, tick box ☐

CODE	GOALKEEPER NAME	CLUB	WEEKLY VALUE	TOTAL VALUE
102	D Seaman	ARS	3.7	3.7
103	A Hogg	ARS	1.2	1.2
104	M Donnelly	AST	1.2	1.2
105	A Smith	AST	1.2	1.2
106	J Foy	BLA	1.2	1.2
107	T Foy	BLA	1.2	1.2
108	T Foy	BLA	1.2	1.2
109	T Foy	BLA	1.2	1.2
110	T Foy	BLA	1.2	1.2
111	T Foy	BLA	1.2	1.2
112	T Foy	BLA	1.2	1.2
113	T Foy	BLA	1.2	1.2
114	T Foy	BLA	1.2	1.2
115	T Foy	BLA	1.2	1.2
116	T Foy	BLA	1.2	1.2
117	T Foy	BLA	1.2	1.2
118	T Foy	BLA	1.2	1.2
119	T Foy	BLA	1.2	1.2
120	T Foy	BLA	1.2	1.2

Parlour discovers top of his game

The scintillating February form of Nicolas Anelka helped a lucky manager in South London to land the £1,000 roll-over prize

This week, there have been many candidates for the title of Fantasy Player of the Week.

The Charlton Athletic defence, for example, have now racked up three clean sheets in succession, an astonishing feat for players in a team that lost eight straight games not so long ago.

Then there was Bjarne Goldback, the forward whose move from FC Copenhagen to Chelsea made few headlines as Brian Laudrup went in the opposite direction, but who scored twice (one more than Laudrup managed in a blue shirt) as Chelsea, despite an unconvincing display, took all three points against Nottingham Forest at the City Ground.

And there were candidates aplenty at Highbury, where Leicester City were trounced 5-0. Nicolas Anelka's scintillating February continued with an expertly-taken hat-trick, to add to his midweek opener at Old Trafford, while Dennis Bergkamp drew praise from all quarters for his torturing of the Leicester defenders.

However, our man of the week is Ray Parlour, scorer of the other two Arsenal goals, and the only Englishman who regularly gets to perform in front of the Highbury back five.

He is justly famous for a remark made to Eileen Drewery, Glenn Hoddle's faith healer, in a one-to-one session during an England get-together ("Short back and sides, please"); it may have adversely affected his World Cup chances, but at least it made the rest of us laugh.

And, lest anyone forget, it was his throw-in during the Sheffield United cup-tie, intercepted with such dire consequences by Nwankwo Kanu, which sparked the replay debate that has set the tongues of the football world wagging for more than a week.

Otherwise, the Romford-born Parlour, 26 next month, remains a relatively unheralded component of the Arsenal machine, certainly by comparison to the likes of Tony Adams, Bergkamp and Marc Overmars.

Usually deployed on the right of the Arsenal midfield, he twice ran through on Saturday to strike goals with, first, his right foot, and then — and this had Highbury regulars rubbing their eyes in disbelief — his left.

The Fantasy Player of the Week award is partly to celebrate his two goals which give us this rare opportunity to salute his sterling service and, it must be admitted, at least partly for the Drewery joke. Parlour has also been known,



WEEKLY WINNER

JAN'S AVENGERS	Points
N Sullivan (MID)	3
G Rowett (DER)	0
G Neville (MAN)	3
E Youds (CHA)	0
D Unsworth (EVE)	0
A Thompson (AST)	2
P Morrison (MID)	0
S Carbone (SHE)	2
F Langford (WES)	3
N Anelka (ARS)	12
J F Hasselbaink (LEE)	8
TOTAL POINTS: 39	

fairly or not, as something of a party animal. Consequently, many people have wondered why, if Anelka is as lonely in London as talk would have it, Parlour does not take him out on the town a few times and show him the bright lights? In fact, judging by the week the Frenchman has just enjoyed, it might have happened already.

There was even the ghost of a smile on a usually stony face as Anelka knocked his third past Kasey Keller, making him the leading contributor, with 12 points, to this week's winning team, Jan's Avengers, led by Janet Manikiza, of southeast London, who receives this week's "roll-over" prize of £1,000 plus £100-worth of sports equipment.

Apart from Anelka, the Avengers had another forward in sparkling form, Jimmy Floyd Hasselbaink, who scored twice at Aston Villa last Wednesday and set up Willem Korsten for the Leeds United winner on Saturday, for a total of eight Fantasy League points.

David Unsworth, too, made a valuable contribution, scoring the last of Everton's five against Middlesbrough and helping to keep a clean sheet, for six points.



Discovering, after his second goal against Leicester City at Highbury on Saturday, that Ray Parlour can use both feet, was, for the Arsenal management, like signing a new player for nothing. Many more such performances (and the departure of Eileen Drewery), should make him a regular in the England squad

So your team is useless? You can still win £1,000 this week

Now is the time to sign up a new team for On-Target, the game where you don't have to be a footballing anorak to win the prizes

Congratulations to Mr. S Colbey, of York, the main winner of ON-Target this week, who finds himself £500 richer and possessor of an EA Sports Pack. Fourteen other managers have also managed to win themselves excellent prizes.

Even if you do not have a Fantasy League team, you can enter this new game now — or enter a new one simply for ON-Target. All managers have the chance to win a share of £28,000 of new prizes. The Times has teamed up with EA Sports to offer you the chance to own the renowned FIFA 99 game. Every week you have the chance to win:

■ 1st Prize: £500 plus an EA Sports Pack
■ 4 runners up: EA Sports Packs
■ 10 additional runners up: FIFA 99 CD-Rom.
Each EA Sports Pack contains: FIFA 99 for the PlayStation; FIFA 99 for the PC; EA Sports T-Shirt, key ring and mini football plus a record bag.

IF YOU already have a team in the main game, then you're ready to play ON-Target. Simply check your Fantasy League players' score each week and see if their total is the same as our ON-Target score shown here each Tuesday. If you have scored the exact target points, a quick call to our ON-Target winners' line (national rate call) will put you in the draw to win one of the 15 prizes.

The ON-Target score may be high or low. There could be more than one score (such as today). It could be a minus score. So it's worth checking your performance every week.

Just have your PIN number handy to call the winners line on:

0870 901 4270

THIS WEEK'S ON-TARGET SCORE

Has your team scored ...

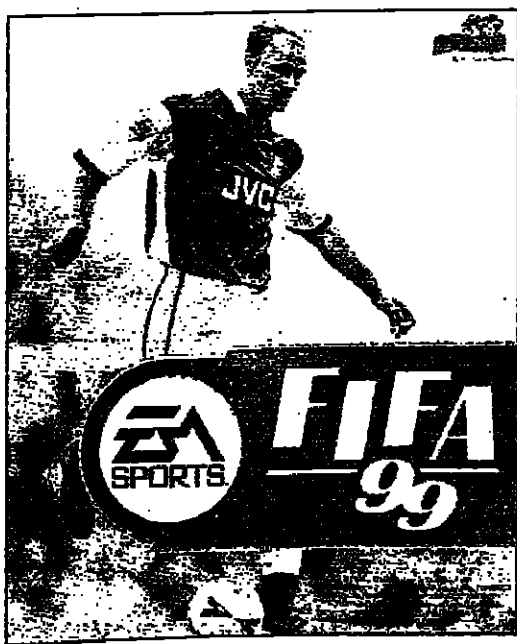
2, 4 or 8

points?

Check your total, then ring
0870 901 4270
(ex UK +44 870 901 4270)

Calls charged at national rates

If you don't have a team, or want to sign up another one, enter now by filling in the entry form. There are no limits to how many teams you enter. Not only could you win the ON-Target prizes, but you could win the main game weekly (£500) or monthly (£1,000) prizes.



HOW TO ENTER: Look up your players' weekly point scores opposite and add them up, or call the checkline 0640 625 102. If your total score for this week matches the ON-Target number(s), then call our claim line on 0870 901 4270 (calls, charged at national rate, should last about a minute). Claims must be made before midnight on Sunday night. The lines then close until the next game starts on Tuesday morning.

If you have scored the correct number of points AND called the claim line, you go into the draw. Just look in the paper on the following Tuesday to see if you have won.

Managers with the correct points who have not called the claim line will not be entered. Calls that are incomplete, inaudible or invalid will not be entered. All teams in the draw must conform to the main game rules.

Winners: This week's winners are: S Colbey of York (£500 plus EA Sports Pack); Mrs A Skidmore of South Croydon; Graham Johnston of Tunbridge Wells; J Mills of Bristol; Matthew Bloor of London E1 and Barry Akeroy of Maidenhead (EA Sports Packs); Nick Roscoe of Bedford; Michael Corbillo of London E11; Paul Morris of London N8; Frank Nesbitt of Edinburgh; Simon Alexandra of Altrincham; Christopher Steel of Uttenseter; Roy Hatchinson of Middlesbrough; Charlie Pennington of Preston and Steve Harris of Camberley (FIFA 99 CD-Roms).

FANTASY PLAYER OF THE WEEK

NEIL MURKS

FANTASY LEAGUE LEADERS

1	Phil Clarke	Shabadi United	306
2	Robert Little	Broken Arrow	298
3	Sarabjot Kohli	Junglens	296
4	James Kerr	Serious Squad	292
5	David Young	Dave 10	290
6	Gordon Crutchley	Super Saddlers B	289
7	Phil Tusher	Pin-Ups 7	288
8	John Humphreys	Academicals	286
9	David Wise	Walsall Reserves	286
10	John Lofthouse	Solid At The Back	285
11	Tim Gardner	Hatchester Who?	285
12	Michael Matechack	Banditos Darnes	284
13	David Edwards	Edmo Utd Mington	283
14	Jennifer Cockburn	Yeah Right!	283
15	Robin Harrington	Chequers Champs	282
16	Robert Anderson	Roberts Rovers	282
17	Mark Cates	Joe Public	282
18	Lucy Crockett	I Hate Football	282
19	Mike Shipley	Minor Threat	282
20	David Mead	In The City	282
21	Phil Tusher	Peter 7	282
22	Richard Deane	On The Wagon	281
23	John White	Fusegear	281
24	Andrew James Spencer	This Ones Mine	280
25	Peter Leatham	Spike Town	280
26	Mark Grier	Scots Reject	279
27	Neil Bradbrook	Chapeltown Elite	279
28	Jason Wynne	Taffys Terrors	278
29	Henry Casgrove	Top Class	278
30	Colin Head	Headstart Guard	278
31	C Sharpe	Sunfish Stars	278
32	Mike Shipley	Minor Threat 16	278
33	Alan Featherstone	Lancashiremen	277
34	David Tiley	Wiley FC	277
35	Carol Flint	The Baggage Boys	277
36	Mike Truran	Tigger United	277
37	Darren Sawyer	Finchleyallstars	276
38	Paul O'Neill	Four Four Two	275
39	Terry Bullen	El Tof's Revenge	275
40	John Milner	Melodymaker	275
41	Peter Dunsell	Scots 7's	275
42	Joanant Popat	Popat's Army	275
43	Andi Nathan	Nathan Hotspurs	274
44	Stephen Trup	Winners	274
45	Terry Butler	Son Don Doo	273
46	Kevin Styles	Olivernewtown	273
47	Brian Payne	Cosmopolitan II	273
48	Alan Purdy	Als Bandits	273
49	Matthew O'Neill	The M Team	273
50	David O'Neill	Scotts Stars	273
51	Don Baxter	Don's Diamonds	273
52	Mike Shipley	Minor Threat 10	273
53	Henrietta Ball	Henri & Goals UU	273
54	Tony Fuller	Real Darners	273
55	John Green	Chicken Chasers	272
56	Andy Luckhurst	Caroline B	272
57	Iain Anderson	The Odd Squad	271
58	John Hayes	Barot Crunchers	271
59	Tom Summers	Garichou	271
60	Nigel Kalb	Kalbs Kings 9	271
61	Nigel Byrne	Nigels Team	271
62	Colin Campbell	Barnys Hats	270
63	Domie Oulbail	Dons Demons	270
64	Andy Georgia	Mistys Magic Te	269
65	Mandy Adamson	Mandys United	269
66	Philp Morton	Skull Vanil	269
67	Chris Wallis	Wallys Wonders 2	269
68	Andrew Kavanagh	Andrew Kavanagh	269
69	Tom Lee	The Bears FC	269
70	James Muir	James Murraiders	269
71	George Millington	Survivors B	269
72	L Sanchez	Sabatat Massey	268
73	Prakash Gadhia	Willesden Eleven	268
74	David Walker	Just A Second FC	268
75	Kevin Culverhouse	Kevins Kings	268
76	Mike Shipley	Minor Threat 15	268
77	Jackie Harris	Haspenghemmmmm	268
78	David Balbi	Utility Team	268
79	Stephen Anthony	Anthill Mob FC	268
80	David Daley	The Daley XI	268
81	Ralph Kothari	Milleniumbuggers	268
82	Joseph Barley	Joran United	267
83	Geoff Clarke	Clarkes Kickers	267
84	Nicholas Fenney	Fillesseurs	267
85	Marc Meyer	Cool Dudes Utd	267
86	Michael Seafie	Alidgewash	267
87	Nigel Kalb	The Adams Family	266
88	Claire Barber	Super Spurs	266
89	Thomas Bailey	Rural Raiders	266
90	Sarah Darwalla	Scorch	266
91	Jo Tinsley-Cloves	The Future's Red	266
92	Phil Tusher	Pin-Ups	266
93	J Prinsell	Grand Pan Pizza	266
94	Andrew P Heelin	Shortstraw	266
95	Daisy Martin	Saham Tuesdays	266

FANTASY LEAGUE QUIZ



Every week, we test your knowledge with our fantasy quiz. Two weeks ago, we showed you four bargain buys you might like to consider: Thomas Myhre, Michael Ball, Richard Dunne (all Everton) and Peter Atherton (Sheffield Wednesday) — the players who represent the best value under £3 million.

What do this week's four big names have in common?



CHECK YOUR SCORES TELEPHONE 0640 62 51 02

YOUTH LEAGUE TOP 12

1	Sarabjot Kohli	Junglens	296
2	Robert Anderson	Roberts Rovers	282
3	Jwanant Popat	Popat's Army	275
4	Matthew O'Neill	The M Team	273
5	Henrietta Ball	Henri & Goals UU	273
6	Tom Summers	Garichou	271
7	Nicholas Fenney	Fillesseurs	267
8	Claire Barber	Super Spurs	266
9	Daisy Martin	Saham Tuesdays	266
10	Graham Booth	Manchester City	265
11	David Swithenbank	Titus All Stars	264
12	Jacob Bonnell	Salars Spaw	264



Sol Campbell: name to savour in leaders' teams

Time to switch thoughts to transfers

MANAGERS who still have plenty of transfer opportunities in The Times Fantasy League may be wise to investigate the rearranged Premiership fixtures in order to give themselves an all-important advantage over the opposition.

If you are among the managers who have remained faithful to your original line-up, now could be the time to capitalise on your remaining changes. The fixtures of many Premiership teams will be affected by the latter stages of the FA Cup, thus ensuring that weekend matches are switched to midweek to accommodate the cup fixtures.

Therefore, you will find that during the weekend of March 6 and 7, many scheduled Premiership fixtures will have to be moved to a more

appropriate date, some depending on the outcomes of fifth-round replays. The only fixtures certain to take place on the weekend concerned are Coventry v Charlton, Southampton v West Ham and Wimbledon v Leicester, with two other fixtures depending on replay results.

Four of the scheduled matches (Leeds v Tottenham,

Blackburn v Everton, Liverpool v Manchester United and Middlesbrough v Chelsea) have already been rescheduled for the following week, thus ensuring that these teams will have two matches during the week starting March 8.

Therefore, if you have a couple of spare transfers, then you could gain some vital points by simply transferring in players who have two opportunities to score points during the week, rather than just the one.

Wily campaigners can even take immediate advantage of the fixture amendments. The Tottenham v Southampton and Sheffield Wednesday v Wimbledon games will definitely be played next week. By transferring in Southampton or Wimbledon

players before next Monday, managers can field their players twice the following week, before transferring them out of their line-up and signing a player who has two games the following week.

Managers should note that the Charlton v Tottenham and Liverpool v Leicester matches originally scheduled for March 20 will have to be postponed because of the Worthington Cup final the following day.

With Manchester United and Chelsea still involved in Europe, rescheduling fixtures may be difficult, so watch out for a backlog in the final fortnight. Two seasons ago, Newcastle had four matches in the space of the final week, so if you're after a sprint finish, this could be the way to go.

MATT SIMS

Handwritten note: 0870 901 4270

Richard Whiteley, comic

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BUSINESS • ARTS • LAW • SPORT • TELEVISION

THE TIMES

The Times
Justice
awards

Law, page 43

BUSINESS EDITOR Patience Wheatcroft

TUESDAY FEBRUARY 23 1999

Rank rises on talk of £3bn consortium bid

By FRASER NELSON
AND DOMINIC WALSH

RANK GROUP shares rallied a further 6 per cent yesterday on speculation that the troubled leisure company could soon accept a £3 billion bid from a group of private investors.

Market rumours suggest that Rank could be facing a 275p-a-share cash offer, becoming one of the largest firms to fall to Britain's increas-

ingly powerful venture capitalists. Its shares rose 124p to 235p yesterday, with more than seven million traded.

The moves come as venture capital experts predict that their industry now has more than £16 billion at its disposal to snap up London's underperforming quoted companies.

At the weekend, William Hill, the bookmaker, was sold to Civen and CVC Capital Partners for £825 mil-

lion, halting its stock market flotation. Nomura, the vendor, was unhappy at the institutional response to the proposed flotation, which had led to the offer price being cut.

The William Hill debacle has fuelled speculation that venture capitalists are poised to move on Rank. Rumours of a bid for Rank have been rife within the company since Andrew Teare was suddenly ousted as chief executive last October. City

analysts estimate the group's break-up value at up to 320p a share.

However, speculation of a possible £750-a-share bid — equivalent to £3.1 billion including debt — was described by one insider as "very premature".

Douglas Yates, acting chief executive, admitted at Rank's results meeting last week that "we've had lots of people knocking on our door", and Sir Denis Henderson, chairman,

spoke of "sharks circling" — a veiled reference to venture capitalists.

However, it is understood that most inquiries have related to only the leisure division, rather than the whole company, and Sir Denis said that a fire sale of assets would be "absolutely crazy".

Rank last year rebuffed a tentative £900 million approach for its leisure division, including Odeon cinemas and Mecca bingo halls, from

John Garrett, a former Rank director, in conjunction with Candover.

Cinven, which, with Candover, has been reported to be leading the consortium, sought to play down suggestions of involvement. It is understood to be focusing on a bid for the RAC's motoring service, which is thought to be choosing between offers by Lex Service and GE Capital.

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Anatole Kaletsky
on euroland and
the US deficit
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STOCK MARKET

FTSE 100 6099.9 (+38.7)
Yield 2.83%
FTSE All Share 2776.97 (+15.27)
Nikkei 14528.67 (+158.63)
New York 9454.58 (+114.63)
S&P Composite 1257.61 (+18.58)

US RATE

Federal Funds 4.75% (4.75%)
Long bond 5.35% (5.35%)
Yield 5.35%

LONDON MONEY

3-month interbank 5.75% (5.75%)
Life long of future 117.57 (117.27)

STERLING

New York 1.6340 (1.6222)
London 1.6277 (1.6255)
S 1.4707 (1.4685)
Sfr 2.3528 (2.3485)
Yen 161.5 (161.5)
Euro 161.5 (161.5)

DOLLAR

London 1.1058 (1.1058)
S 1.4428 (1.4455)
Sfr 120.25 (121.08)
Yen 107.5 (107.5)

TOKYO DOLLAR

London close 8267.25 (8266.25)
London close 8267.25 (8266.25)
Exchange rates Page 28

HSBC hit hard by Asian economic turmoil

By PAUL ARMSTRONG

THE Asian economic crisis hit HSBC Holdings harder than expected, forcing the company to book huge rises in bad debt charges to \$2.6 billion (£1.6 billion), triggering a 19 per cent slump in full-year profits.

The international financial services group, parent company of Midland Bank, revealed yesterday that the charges had cut 1998 earnings to \$6.57 billion. HSBC said that its total bad debt charge leapt from \$1 billion in 1997 after substantial increases in all regions except North America.

The profit result was about \$200 million below most City expectations and resulted in HSBC shares closing 4 per cent lower at £16.09, the biggest drop of the FTSE-100 stocks on the day.

Hong Kong and Malaysia remained uncertain after credit conditions deteriorated in the second half. But he said there was evidence of a recovery in several other Asian economies.

HSBC also unveiled a series of strategic measures yesterday, including plans to seek a listing this year on the New York Stock Exchange. It is already quoted in London and Hong Kong.

Mr Bond said the move would give the group access to the world's biggest capital market and stimulate international demand for the company's stock.

"To help the listing, HSBC will consolidate its two-tiered share capital into a single-class share denominated in US dollars.

It will also seek shareholder approval for a share buyback scheme, though Mr Bond said there was no plan at this stage to exercise the right.

The charges overshadowed an otherwise solid result, which was highlighted by the 5.8 per cent rise in operating profit before provisions to \$9.05 billion.

Net interest income was up 5.5 per cent at \$11.55 billion and the dividend rose 11 per cent to 92.5 cents.

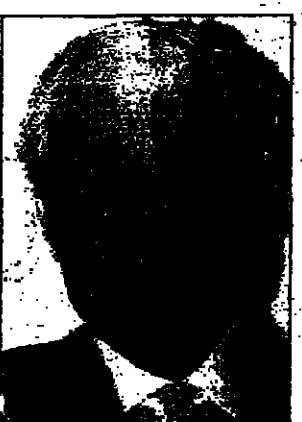
However, the bad debt charge as a percentage of customer loans increased to 1.1 per cent from 0.4 per cent. HSBC's Midland Bank subsidiary reported a 1 per cent fall in pre-tax profit to £1.5 billion.

Mr Bond said HSBC's 1999 earnings would hinge largely on the US economy, which he described as one of last year's "great success stories".

"While we remain confident in the (Asian) region's long-term prospects, we do not rule out the possibility of further setbacks," he said.

HSBC's belief that parts of Asia were recovering was reflected by its move to buy a controlling stake in Seoulbank, signing a memo of understanding with the South Korean Government.

Seoulbank is one of the largest commercial banks in South Korea, with total assets of \$24.8 billion at December 31.



Bond: "outlook uncertain"

HSBC also announced a \$700 million agreement to buy a 70 per cent stake in South Korea's Seoulbank, signalling its belief that the country's economy has stabilised.

However, analysts said that fears of more bad debts in Hong Kong would almost certainly lead them to downgrade 1999 profit forecasts for HSBC from about \$7.3 billion to between \$6.5 billion and \$7 billion.

HSBC said the bad debt charge in Hong Kong, where it generated 37 per cent of its profit, more than tripled last year to \$747 million.

The charge jumped from \$615 million to \$1.2 billion in the rest of the Asian-Pacific region and from \$69 million to \$369 million in Europe.

John Bond, group chairman, said the outlook for



Sales by the largest US clothing business and manufacturer of the famous 501 jeans fell by 13 per cent last year, leading to yesterday's decision to close half its 22 factories

Levi's cuts back 30% of US workers

FROM OLIVER AUGUST IN NEW YORK

WORKERS at Levi's were yesterday told to swap their 501s for P45s. The maker of the famous jeans fired a third of its North American workforce and said it will relocate production to cheaper sites abroad.

In a big shake-up at the largest clothing business in the US, half of its 22 factories are to be closed and 5,900 jobs lost. The drastic step taken by the privately owned company comes after a sustained loss of market share.

The 501 jeans, originally de-

signed to be worn by gold miners in the last century, have lost their teenage rebel appeal recently and, as prices of designer labels tumbled, Levi's have lost some of their popularity. Last year, sales fell 13 per cent to \$6 billion (£3.6 billion).

The 30 per cent cut in jobs will affect workers across the southern states. It is the latest blow to the ailing American textiles industry as jobs disappear to the low-wage economies of Asia and Latin America.

John Ermatinger, president

of Levi Strauss, the parent company, said: "These steps are crucial if we are to remain competitive." Fruit of the Loom, another large US clothing company, has already been closing plants while sales continue to rise for once-exclusive designer labels such as Calvin Klein.

Levi Strauss said it will move manufacturing duties to contractors around the world. The company said any contractors it hires in other countries will be bound by its "stringent

code of ethics". In 1991, Levi Strauss adopted guidelines covering working conditions, child labour and environmental standards. Other manufacturers, most notably Nike, have been suffering from accusations of employing child labour in Third World countries.

Last year, Levi Strauss closed 11 facilities in an effort to bring its production capacity in line with actual demand. That move affected 7,000 workers. After the latest cuts the company will have 19,000 employees.

Affected workers will receive eight months' notice, severance pay and other benefits.

Sales in the Americas totalled \$3.9 billion last year with \$1.7 billion sales in Europe, the Middle East and Africa.

Gavin Power, a Levi Strauss spokesman, said: "We took our eye off the consumer in the early Nineties and now we're... trying to surround the consumer with products and marketing."

Commentary, page 29

Olivetti to raise extra capital for Telecom bid

By CARL MORTSHED, INTERNATIONAL BUSINESS EDITOR

OLIVETTI, the Italian conglomerate which is plotting a £36 billion takeover of Italy's national telephone utility, Telecom Italia, is planning a major capital raising which could increase the control of its chief executive, Roberto Colaninno, over the company.

A board meeting, scheduled for tomorrow, is likely to approve the share issue which would raise additional funds for the bid. A major source of the new capital is expected to be Bell, the Luxembourg company which already owns 15 per cent of Olivetti. Bell is controlled by Mr Colaninno and a group of Italian business allies. It is believed a capital increase is planned which would give Bell as much as a quarter share of the company.

The bid has sparked frenzied activity among international bankers. Olivetti's advisers, Lehman Bros, Donaldson Lufkin Jeanette, Chase and Mediobanca, are currently working on a massive \$25 billion syndicated loan, which would provide much of the finance for the cash element of the bid. Telecom Italia has appointed JP Morgan and Lazard Bros.

Fund managers in the widely held Telecom Italia have expressed their concern about the bid price of £10 per share. James Golob, analyst at Deutsche Morgan Grenfell, commented: "They are all saying it is worth more than £10 and they don't like the structure of the bid with a series of controlling interests."

C&W puts its faith in saviour of cable TV

By RAYMOND SNODDY
MEDIA EDITOR

THE global search for a new chief executive at Cable & Wireless ended yesterday with the appointment of a home-grown telecoms boss with an office just a stone's throw from C&W.

Graham Wallace, 50, was named as the successor to Dick Brown, the American who quit to run EDS in the United States.

For the past two years Mr Wallace has been chief executive of Cable & Wireless Communications (CWC), the cable group in which C&W has a 53 per cent interest.

Mr Wallace was chosen for one of the top jobs in UK telecoms ahead of nine other candidates, including six from America. He made his mark by forging CWC through the merger of four competing cable companies — Mercury Commu-



Wallace made his mark

for ten years and while finance director was closely involved in the merger of British Satellite Broadcasting and Sky. Before moving to CWC he was chief executive of Granada's video and television rental business and later chief executive of the restaurants and services division. His appointment was well received in the City yesterday. C&W shares finished 2p down on the day at 350p but this represented a recovery after rumours of a bid for Telecom Italia had forced the price down.

Mr Wallace said he planned to continue and even accelerate the policies of his predecessor with an increasing focus on data and the Internet. He will be succeeded at CWC by Greg Clarke, the cable group's chief operating officer. CWC shares fell 5p to 705p.

Commentary, page 29

Euro slips to record lows

By ALASDAIR MURRAY
ECONOMICS
CORRESPONDENT

THE euro slipped to record lows against the dollar and the pound yesterday after central bank governors at last week-end's G7 meeting failed to indicate concern at the dollar's growing strength.

Traders interpreted the lack of comment as evidence that G7 leaders are not unhappy with the dollar's rise and are unlikely to intervene unless the markets become volatile. A strong dollar eases pressure on struggling European and Japanese economies.

The euro fell to \$1.0969 compared with a launch price of \$1.1665, before recovering slightly to trade at \$1.1030. The dollar also hit a ten-week high against the yen reaching ¥122.50.

The pound followed the dollar higher with the euro touching a record low of 67.70p before recovering to close only marginally down at 67.98p. The pound, however, made modest losses against the dollar falling from \$1.6295 to \$1.6227.

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John Charcol Ltd

UDV sells whisky brands

Diageo's UDV spirits division is to collect \$185.5 million (£114 million) from the sale of eight Canadian whisky brands to Canadiana Brands, the US drinks group that recently acquired its smaller UK rival, Matthew Clark.

The deal follows Diageo's decision to review its spirits portfolio in the wake of the merger of Guinness and Grand Metropolitan. The brands being sold, which have annual sales of \$74 million, include Black Velvet and Golden Wedding, but UDV is retaining Gibson's, a premium whisky.

A similar exercise is under way at Diageo's Pillsbury food arm, which recently announced plans to sell six non-core brands for \$192 million.

Fund sales soar

Private investors flocked to buy corporate bond funds in January pushing the value of unit trusts to £185.7 billion, up 53 per cent compared with January 1998. Figures published yesterday by the Association of Unit Traders and Investment Funds (AUIF) show corporate bond funds were the strongest sellers last month, as savers sought security and higher yields amid falling interest rates. Total gross Peps sales were up 37 per cent over the year bringing the total amount invested in Peps to just under £50 billion.

US help for ML

ML Laboratories is bringing in an American company to help it to develop Viradon, its problematic AIDS drug. Work on Viradon has suffered lengthy delays because of ML's difficulties in recruiting suitable patients. These have been exacerbated by the European launch of new medicines for the HIV infection. ML has appointed General Medical Industries of Virginia to finance and conduct the trials needed to secure approval for Viradon in the US.

US energy companies agree \$6bn takeover

FROM OLIVER AUGUST IN NEW YORK

DOMINION RESOURCES, former owner of East Midlands Electricity, yesterday agreed to buy Consolidated Natural Gas for \$6.3 billion (£3.9 billion) to form the fourth-biggest US utility. The deal follows a pattern of industry consolidation in the US as local markets are deregulated and former monopolists are forced to compete with out-of-state rivals.

Dominion will pay a 22 per cent premium over pre-bid prices, in the form of 1.52 Dominion shares per Consolidated share. It will assume Consolidated's \$2.15 billion debt.

Other US energy companies, including Enron, Texas

Utilities and Reliant Energy, have also pursued expansion strategies that have led them to consider linking with utilities in the UK, where deregulation has progressed further.

Dominion last July sold East Midlands Electricity to PowerGen for £1.8 billion after owning it for only 17 months. Dominion made a profit of £120 million on the deal. Some of the profits were set aside for acquisitions in America.

Consolidated is one of the many oil and gas companies created from the wreckage of John D. Rockefeller's Standard Oil Company after the Justice Department forced its break-up in 1911. It provides

natural gas to 2 million retail customers in a few eastern states, owns an interstate pipeline, and is a big producer of oil and natural gas.

Thomas Capps, Dominion's chief executive, said: "It's a chance to take and sell electricity to gas customers, and decide every morning whether to store gas, sell it, or make electricity."

In another utility deal, Sempra yesterday agreed to acquire KN Energy, America's second-largest natural gas pipeline and storage operator, for \$1.9 billion. Richard Farman, Sempra chairman, said: "The attributes of a successful energy-service company in-

clude a large geographical footprint, a good stable of energy-related products and services, wholesale trading expertise and a strong asset base."

When completed, Dominion's takeover of Consolidated will create the premier fully integrated electricity and gas group in the US, with revenues of \$8.8 billion, assets of \$23.9 billion, annual cashflow of \$2 billion, and 17,000 employees. The combined portfolio will have an energy portfolio of more than 20,000 megawatts of power generation, 2.4 trillion cubic feet equivalent in natural gas and oil reserves producing 300 billion cubic feet equivalent annually.



Tony Allan, left, and Ronnie Truss, managing director, celebrating BGR's profits advance at its new Fish! restaurant

BGR, the London restaurant group and food supplier, has launched Fish!, a new restaurant brand intended to be developed into a nationwide chain. The first Fish! opened at Borough Market, South London, at the weekend (Dominic Walsh writes).

Tony Allan, chairman and chief executive, said he was close to securing two more sites, including one in Smith-

BGR aims to take Fish! everywhere

field, and had a target of six openings by the end of next year. The first Fish!, which cost £600,000 to develop, had to turn away 200 diners when it opened on Saturday.

The dividend is 23p. Bank BGR's flagship in Aldwych, made a £1.4 million profit and saw a 4 per cent rise in like-for-like covers. Two Bank-style outlets are to open in Westminster and Birmingham. Christmas trading was "buoyant", BGR said.

BGR is paying £250,000 for Crestport, a restaurant software supplier owned by Mr Allan and his fellow directors.

Shares of Air France soar on first day

BY CARL MORTISHED
INTERNATIONAL BUSINESS
EDITOR

AIR FRANCE shares soared in the first day's trading yesterday as index funds scrambled to pick up stock in the airline after the Government's sale of a 20 per cent interest.

Enthusiasm for the French carrier split over into other airline stocks, including British Airways, which gained 15.9p to 457.5p. Air France initially surged 28 per cent above the €14 (950p) offer price but later fell back to €16.10.

Airline analysts were bemused by the surge, which followed recent bearish statements from both BA and Air France about yields.

Carriers have seen their revenues per passenger squeezed by discounting on business class seats and weak Asian markets.

Analysts said the pricing of the Air France issue reflected determined efforts to talk down market expectations before the launch, leading to yesterday's enthusiastic reception. The relatively small public float and institutions fearing the prospect of being underweight in the sector contributed to the success.

The main attraction, however, has been expectations that Air France will be able to cut its staff costs more aggressively after last summer's deal with the pilots' union, where shares were offered in lieu of pay. One analyst said: "Some 30 per cent of costs are staff. People are anticipating that the ratio will fall."

However, Air France, has left key issues unresolved, including the sale of its 29 per cent stake in Airman, the computerised reservation system, and its participation in an airline alliance.

The carrier is also too large an outfit to take part in either of the existing alliances, which comprise British Airways' oneworld and Lufthansa's Star alliance. Speculation has focused on a link-up with Alitalia and a US carrier, either Delta or Continental.

Bank One to cut jobs in London

BANK ONE, the fourth largest US bank holding company, yesterday announced it would cut 200 jobs, almost all in London, as a result of reining in its foreign exchange and derivatives operations in Europe. David Vitale, vice-chairman, said the bank had decided that its European customer base in these markets was "not strategically critical". He said that the redundancies were not a response to trading losses, and that margins in the derivatives operation had declined in recent years. The job losses represent 20 per cent of the bank's international commercial banking workforce outside the US. The redundancies will leave some 300 employees in London. The bank also announced that it would strengthen its asset-backed financing team in London.

Bank One was formed last year from the merger of Banc One and First Chicago NBD. The London redundancies are part of the "repositioning" of its international activities following the merger.

AB Airlines in talks

AB Airlines, the budget carrier, admitted yesterday that it had had talks with a number of other leading airlines over the past three months but said that no formal takeover offer had been forthcoming. The admission by Brian Beal, chairman, came after reports that Virgin Airways had been in talks with AB. Mr Beal said: "Talks continue with a number of airlines on commercial agreements and strategic alliances." The lack of any hard bid news saw the shares unmoored at their record low of 34.9p.

Akers in £2.2m float

CHRIS AKERS, the former chief executive of Leeds United, the quoted football club, who departed after a row on the future strategy of the company, is to return to the stock market with the flotation of a £2.2 million Internet business. Trading in shares of Sports Internet on AIM will start early next month after a placing to raise £1.95 million. The company plans to acquire businesses with specialist expertise in the operation of sports-related websites and in betting or gaming activities.

CMG's German buy

CMG, the Anglo-Dutch IT service group, yesterday said it had spent £8.2 million on buying Partner Consult, a German consultancy. Cor Stuttenheim, CMG chairman, said: "We continue to pursue our objective of expanding geographically within Europe. This acquisition accelerates our advance in the regionalised German market." Partner Consult operates from offices in Hamburg and Hanover and specialises in transport, banking and insurance IT services. It had pre-tax profits of £700,000 last year on turnover of £10.7 million.

Falcon discusses sale

SHARES in Falcon Holdings, the listed valve and pipeline company based in Essex, soared yesterday when it said that it was in talks with Oliver Ashworth Group to sell its Walker and Staff subsidiary. Oliver Ashworth, which is in the same business, was bought by the French group Compagnie de Saint-Gobain last year in a £34 million deal. Colin Pearce, Falcon's finance director, said that shareholders should take no action pending a further announcement. The shares leapt 43p to 180p.

Our results for 1998

In a number of our major markets 1998 saw the toughest economic conditions for many years. That the Group is able to report increased operating profits before provisions of US\$9,051 million, a return on shareholders' funds of 15.5 per cent and declare dividends of US\$0.925 per share reflects the spread and robustness of our businesses and our ability to generate revenues and hold down costs.

The level of bad and doubtful debt provisions required to meet the Group's prudent policy on non-performing loans resulted in a 21 per cent decline in profit attributable to shareholders compared with 1997.

We are planning to seek a listing on the New York

Stock Exchange during 1999 to supplement our existing dual primary listings on the London and Hong Kong Stock Exchanges. As a result we propose to consolidate our share capital into a single class of ordinary shares in US dollars and a share split so that shareholders will receive three new shares of US\$0.50 each for each share they now hold.

The year ahead promises to be very challenging. However, we enter it confident in our strength to withstand further volatility and in our ability to build on the strength of the Group to deliver further value to shareholders.

John R.H. Bond
Group Chairman

1998	1998	1997
£m	US\$m	US\$m
3,962	Profit before tax	6,571
2,604	Profit attributable to shareholders	4,318
24,778	Capital resources	41,092
		41,562
pence	US\$	US\$
97.1	Basic earnings per share	1.61
55.4*	Dividends per share	0.925
		0.83**

The Group's total capital ratio and tier 1 capital ratio at year end 1998 were 13.6 per cent and 9.7 per cent, respectively.

* The second interim dividend of US\$0.555 per share is translated at the closing rate. Where required, the dividend will be converted into sterling or Hong Kong dollars at the exchange rate on 16 April 1999

** Translated at the exchange rate on the dividend payment dates.

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Courtaulds costs Akzo

AKZO NOBEL, the Dutch-Swedish chemicals group, saw net profit in 1998 slump 17 per cent as a result of the acquisition of Courtaulds, the British chemicals business, and the global economic slowdown in the second half.

Courtaulds made a net negative contribution of 55 million guilders (£17 million), including acquisition financing charges, mainly because of an unexpected decline in the fibres markets. Akzo's net profit was 1,343 billion guilders.

DISCOUNT RATES

Bank	Bank
Buy	Sell
Australia \$	2.63
Austria S	21.28
Belgium F	62.59
Canada \$	2.541
Cyprus Cyp £	0.897
Denmark Kr	11.59
Spain P	16.75
Finland Mk	9.31
France F	10.13
Germany Dr	5.043
Greece Dr	500
Hong Kong \$	13.90
Iceland K	12.10
Indonesia Rp	19222
Italy Lit	1,214.1
Israel S	6.95
Japan Yen	3026
Malay M	210.63
Malta M	0.670
Netherlands Gld	3.435
New Zealand \$	3.14
Norway Kr	13.38
Portugal Esc	207.72
S Africa R	10.72
Spain P	256.48
Sweden Kr	13.63
Switzerland F	2.507
Taiwan N	55.007
USA \$	1.730

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The European Index-Tracking PEP

Source: Mitrang/LG4 on an offer to bid basis based on all PEP clients with gross income reinvested from launch (1/10/96 to 01/12/98) first performance is not necessarily a guide to future performance. From the 01/01/99 tax credits on UK dividend distributions will only be able to be reclaimed by PEPs at a reduced rate of 10%. Both capital and income rates may go down as well as up and you may not get back the amount you invested. The exchange rate variations may cause the value of overseas investments to increase or decrease. Full written details are available on request. All statements are correct as at 01/02/99. The Government have announced that contributions can only be made to PEPs until April 1999. From that date a new tax protected savings vehicle, the Individual Savings Account (ISA) will be available. Legal & General (Overseas) Limited is registered in England No 2703002. Registered Office: Temple Court, 11 Queen Victoria Street, London EC4N 4TP. Representative of the Legal & General Investment Group, members of which are regulated by the Financial Services Authority (FSA) for the purposes of recommending, advising on and selling life assurance and investment products. Hearing Legal & General's name: 0207 1007001/02009

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Wallace, a man to stick with gromits



COMMENTARY
by our City Editor

The headhunters scoured the world to find a new boss for Cable & Wireless but eventually tracked him down: sitting round the corner running Cable & Wireless Communications. Sir Ralph Roberts and his board may have been understandably wary of appointing another transatlantic high-flyer after the abrupt departure of Dick Brown. After all, Rod Olsen has stepped in as acting chief executive twice but will not be around to do it a third time. While C&W undoubtedly needs a boss with vision, it is also in need of one who intends to stick around for a while.

Despite the initially unimpressed reaction of the analysts yesterday, Graham Wallace may prove to be just the man for the job. For a company that has experienced the spectacular ousting of both chairman and chief executive, when the board took the novel decision that the rift between Lord Young of Graffham and James Ross could best be solved by showing them both the door — only to be left in the lurch two years later by Mr Brown — Mr Wallace offers a reassuringly down-to-earth manner. He may not be armed with the same maitre d' smile as Mr Brown but he does have other qualifications which may be longer lasting.

At C&W, he has been demonstrating that he can take Mr Brown's big idea and make it work. Putting four cable companies into one was very clever but

it has fallen to Graham Wallace to make it function. He did not spend ten years at deal-driven Granada in vain: the experiences he absorbed there have helped in making C&W gel. There is still work to do. In particular, there must eventually be a merger among the cable television companies. Mr Wallace was already laying the ground for such a deal. Those same analysts who were questioning his new appointment yesterday seemed confident that his successor will step easily into his shoes and sort things out. If succession planning is a reflection on the boss, then the presence of Greg Clarke at C&W reflects well on Mr Wallace.

There will be bigger deals for him to do now. The pace of change in the telecoms world is furious. One of the first things he could do if he really wanted to impress the City is to sort out the uncomfortable shared ownership of One-2-1. A flotation would win him plenty of admirers and, given the current rating of Vodafone *et al*, the potential share price would be stratospheric.

Although yesterday he was insisting that there was no need for more mergers and that C&W

will grow organically, the opportunities may soon make him change his mind. But he will probably join BT in deciding that the Italian telecoms business is best left to the Italians. Olivetti's emergence as the bidder in this extraordinary saga says more about the Italian Government's wish to keep ownership in Italy than it does about commercial logic. Mr Wallace, however, will stick to logic.

Funds overplay their Hands

If Guy Hands is selling, would you be keen to buy? It may be that the phenomenal successful Nomura deal maker is sticking to the time honoured City maxim of always leaving something for the next man, but then again...

But it took less than four days for CnV and CVC Capital Partners to finalise the terms on

which they relieved Mr Hands of William Hill. He did not even have to return from his beach holiday to clinch the deal, with its deftly delivered snub to Warburg Dillon Read.

The buyers knew the business, having been outbid by Mr Hands first time round. It is something of a tribute to him if they believe that, in just 15 months of ownership, he has managed to increase the value so that they are prepared to now pay enough to deliver him a £125 million profit.

Competitors in the private equity business are shaking their heads and muttering that this could prove to be the deal too far. That is what losers always say but this time they do not appear to have been fighting CnV and CVC for the deal. Like the institutions who spurned the planned share offer, they were wary of the prospects for a betting business.

Yet there are now so many pri-

vate equity funds in search of investments that they do risk tripping over each other as they sniff around the share registers. The fear is that the huge amount of money they have to spend will, inevitably, lead to over-paying. When the funds begin to buy from each other, it certainly flashes a red warning light. Private equity funds like to see the exit route at the end of their investment, and a hefty uplift on the way, but it is an unusual development for another fund rather than the stock market to provide that exit. Given the reception to Mr Hands's planned flotation, what will be the exit route for William Hill's new owners?

In an over-crowded market place, the funds are hoping that they will be able to keep busy by servicing the growing desire of smaller public companies to go private. Yet with the number of players in the market now swollen by overseas funds such as Advent and KKR, even the disen-

chantment of many company directors may not be enough to provide the deal flow that is required. Many of the funds have turned their attention to continental Europe but found potential deals scarce. It may be that it's bid for Electra shows the way: they will have to start cannibalising.

Sir Alastair waits on the platform

Why is it that everything associated with railways seems to be late, John Prescott might ask himself as he sits comfortably dreaming up anti-car policies in the back of his speeding Jaguar. In particular, why has his effort to set up a strategic rail authority with a convincing figure at its head yet to pass through the bureaucratic Clapham Junction of his own transport department?

There is a shortlist of one, Sir Alastair Morton. His job is to sound fierce and to eyeball Railtrack's equally aggressive Sir Bob Horton in an attempt to hide Mr Prescott's failure to persuade Tony Blair to give him any powers over recalcitrant rail operators. With two days to go, howev-

er, bureaucrats, armed with Mr Prescott's need to appear squeaky clean, have yet to allow Sir Alastair near his brief.

On Thursday, Whitehall sherpas, nominated industry scapegoats, carefully selected representatives of the public and regulators with an uncertain future will gather for a great rail summit. Possibly, Sir Alastair will emerge from a cake.

Afterwards, in the manner of summits, the Deputy Prime Minister will doubtless announce that he has banged heads together and that agreement was reached on all key points. There is certainly agreement on one: that Mr Prescott can do virtually nothing to curb buffer-headed rail companies until their franchises end between 2003 and 2015. He may not say much about that.

The wrong trousers

THE jeans that helped to build America will soon be built in the Philippines or Colombia to cut costs. The only garment created in the 19th century still worn today has followed Nike to become a victim of its own iconographic success. Generations of young people, who rebelled identically with the help of Levi's, have been seen wearing the wrong trousers, as prices of lesser but trendier labels tumble. It was ever thus. 50ls should retain a niche but the ultimate fashion always makes way for the next.

Pearson disposes of Extel

Pearson is selling Extel, the company research business it bought for £74 million in 1995, to Primark, the US equities data company, for just £19 million. Extel is said to be losing £3 million a year. Turnover was £11 million last year. Primark owns the Topic and Datastream services.

Stephen Hill, chief executive of Pearson's Financial Times group, said: "Extel has some fine products, but it lacks the global, comprehensive data sets its customers increasingly demand. It is a business that is clearly worth more to Primark than it is to us."

SocGen charge
Société Générale, the French bank, said it will take a €398 million (£270 million) provision ahead of restructuring after its takeover of the rival Paribas. This will cut final net profits 27 per cent to €675 million, although operating profits rose 15 per cent. SocGen made no forecast for 1999. Its offer for Paribas closes on March 18.

3i buys engineers
Eight precision engineering businesses, including six based in England, have been sold to 3i, the venture capitalist, by National Industries Group, the Kuwaiti company. 3i is paying £170 million for an 80 per cent stake. The firms, to be called The Mettis Group, will focus on aerospace and orthopaedics work.

Railtrack work
Railtrack is poised to give a £200 million contract to renew and upgrade overhead lines in the £2.2 billion West Coast Mainline modernisation to a joint venture between Balfour Beatty and GTRM.

Pinkerton's sold
Securitas, Europe's leading security services group, is buying Pinkerton's, the US firm once known for tracking down Wild West outlaws, for \$384 million (£235 million).



Demand from the military and civil aviation sectors should keep business brisk for Ultra Electronics, according to Ian Yeoman, finance director, right, with Julian Bloch, chief executive. The electronics equipment manufacturer said pre-tax profits for 1998 grew from £18.1 million to £21.1 million. The total dividend is 8.1p (7.2p).

Breakdown of merger talks leaves Volvo open to bid

BY CARL MORTISHER
INTERNATIONAL
BUSINESS EDITOR

VOLVO could become vulnerable to a takeover bid after the failure of its strategy to merge Scania with its own trucks division.

Volvo said yesterday that its talks with Investor, which controls 40 per cent of Scania, had failed in a disagreement over price. Industry analysts believe the company will now come under pressure from shareholders to find a home

for more than £4.5 billion in cash which will fill its coffers on completion of the sale of its car division to Ford.

Leif Johansson, Volvo's chief executive, said the company's 13 per cent interest in Scania would not be sold "regardless of possible changes in ownership". He would not speculate on future discussions with Investor. "We are in no hurry," he said.

Volvo's stake could effectively block a rival offer for Scania under Swedish takeover rules. A spokesman for Volvo said

the talks failed on valuation. "It was the price, they wanted too much," Scania reacted angrily to Volvo's stated intention of retaining its interest, complaining that a large stake held by a major competitor would be bad for the business.

The failure of the Scania initiative will put pressure on Volvo to find an alternative partner. Steve Reiman, of Merrill Lynch, said: "If they don't do something, they become vulnerable themselves. Volvo has a very open shareholding structure."

Speculation is focusing on the possibility that Volvo will seek a deal with Renault over its US trucks business, Mack. Other potential targets could be Navistar, the former International Harvester business, which is capitalised at some \$2.6 billion (£1.6 billion).

Mr Johansson said that Volvo had clearly declared its intention to participate actively in consolidation within the commercial vehicle industry. "The decision to terminate discussions does not imply any changes in this objective, and

we are now going to proceed with the work of strengthening Volvo's position."

Scania shares fell 5 per cent, to SKR202 (£15.50), on news that the talks had failed. Investor had indicated that a fair price for Scania was SKR250.

Industry experts were puzzled as to why Volvo failed to strike a deal as the Investor position was well known.

Volvo said that it would offer Scania management cooperation in technology and components without restricting competition in the marketplace.

Guardian IT predicts more state regulation

BY CHRIS AYRES

ONLY 10 per cent of companies that are dependent on their computer systems have some form of emergency back-up in case they go wrong, Guardian IT, the disaster-recovery company, said yesterday.

Guardian IT made the claim after a

busy year which, it reported, saw a 64 per cent rise in pre-tax profits in 1998, up from £4 million to £6.6 million. The results were Guardian's first full-year figures since floating last March.

The company said that it expected the Government to introduce wider regulations soon that would force companies to prove that they have so-called

"business continuity" systems in place. Peter MacLean, Guardian IT's chief executive, said such regulation already existed in the financial sector.

The company's sales were £30 million for the year, up 29 per cent from £23 million, while earnings per share rose 54 per cent from 5.9p to 9.1p. A final dividend of 1p will be paid on April

27, bringing the total payment for the year to 1.5p. The company, which is market leader in the UK, said it would continue to expand in France, Germany and South Africa through organic growth and acquisitions. Shares in Guardian slipped 2½p to 572½p.

Tempus, page 30

Warnings sound at Jarvis Porter

BY PAUL ARMSTRONG

SHARES in Jarvis Porter, the packaging group, fell almost 10 per cent to 93½p yesterday after the company said poor trading conditions would restrict pre-tax profit to £5 million in the year to February 28. This compares with £14 million in the previous year.

Jarvis also gave warning that more than 300 jobs would be lost at its production plants as the result of a strategic review. The company said it was yet to decide which plants would shut.

The programme is expected to cost about £7.5 million, most of which will be incurred in the coming year. Jarvis said it was unable to quantify the restructuring provisions that would be provided for in the current year's accounts.

Jarvis said trading conditions had deteriorated further in the past three months, particularly in its international drinks and beverages division, for which it makes labels. The poor conditions are expected to continue into the next financial year.

It also said discussions were ongoing which may lead to a takeover bid for the company.

Setback for PPL in phase II drug trials

BY PAUL DURMAN

PPL Therapeutics is putting a brave face on indecisive results from a phase II trial of its cystic fibrosis treatment.

Alfa-1-antitrypsin (AAT), derived from the milk of genetically modified sheep, failed to show any benefit on the trial's primary measure — the time between treatment and the first serious lung infection. At a high dose, the drug appeared to reduce the number of infections by a quarter but, with data from only 96 patients, this result was not statistically significant.

Ron James, PPL's chief executive, said the results were "quite positive" — in most respects as good as we could have expected from a trial of this size.

PPL is already talking to two large pharmaceutical groups, which will be asked to bear the £15 million to £20 million cost of a further trial on 900 patients. This is likely to test an even higher dose of AAT than the 250 mg per day that was most effective in the phase II study.

Tempus, page 30

Investors to get £18.4m from UTV

BY RAYMOND SNODDY, MEDIA EDITOR

ULSTER TELEVISION, the ITV company, said yesterday that it is to hand more than £18 million back to shareholders and promised that there would be more to come.

Shareholders will receive a special 35p a share dividend accounting for a total of £18.4 million after UTV carried out what it called a "prudent assessment" of its future cash needs.

Three years ago UTV handed about £10 million back to shareholders after the company decided not to invest in the Irish Republic's TV3 channel. Further sales of its stake in

SES, the Astra television satellite system operator, should net a further £7 million, earmarked for return to shareholders.

Desmond Smyth, managing director, said UTV's main priority was organic growth into the Irish Republic. He said: "That doesn't require a lot of capital."

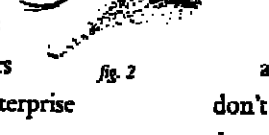
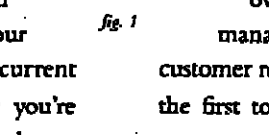
News of the special dividend saw UTV shares close at 220p, up 28p.

UTV reported pre-tax profits for 1998 of £12.5 million compared with £8.3 million last time. The final dividend will be 3.5p making 6.3p for the year.

(SMOOTHUS TALKUS REPTILUS)

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supply chain and performance indicator process suites provide innovative ways to gather, process and access information. We have over 20 years of experience in business management software, and a 96% customer retention rate over five years. We were the first to use web technology, enabling our customers to share vital information more freely and cost-effectively. Our Self-Evident Applications™ practically eliminate training costs. And our people are known for their professionalism and accessibility. In other words, we don't bite. Visit Lawson Software at www.lawson.com/more or call (800) 496 0706.



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STOCK MARKET

MICHAEL CLARK

Buyback prospect sees Unilever shares soar

UNILEVER, the Anglo-Dutch household goods group, was one of the best performers among the top 100 companies, climbing 42p, or 7.2 per cent, to 625.5p amid hopes that it may be ready to spend up to £2 billion buying back its own shares.

The group, whose brands range from Bird's Eye foods to Persil washing powder, has a £6 billion war chest with which to make acquisitions. It received almost £5 billion from the sale of its specialty chemicals business to ICI.

But the group has been unable to find the right deal. Last week, the shares came under pressure amid claims it was preparing to bid for HJ Heinz, the US food manufacturer.

Unilever's intentions may become clearer today when it unveils final results expected to show pre-tax profits 15 per cent higher at £2.8 billion and a near 25 per cent increase in the dividend to 10.5p a share. But the real boost to the share price will come if the group signals the go-ahead for a share buyback. Brokers Warburg Dillon Read and WestLB Panmure were both said to be buying Unilever ahead of the figures.

Share prices generally wiped out early falls to end the day with some useful gains, partly inspired by strong opening gains on Wall Street. The FTSE 100 index dipped below the 6,000 level in early trading before reversing the losses to close 38.7 up at 6,069.9. The FTSE 250 index added 7.6 at 5,180.7 with turnover reaching 915 million shares.

Rank Group was an early mover, rising 12p to 235p on reports that a consortium backed by venture capitalists was putting together an offer worth £1 billion, or 27p a share. In a separate move Anthony Stenham, a director, has bought 19,910 shares at 227p taking his holding to 40,800 shares.

The best performance of the day came from Orange with the price squeezed 68p higher at 940p as 4.24 million shares changed hands.

British Airways was another firm reflecting the popularity of the part-privatisation of Air France. British Aerospace was also wanted ahead of results with the price adding 19p at 421p. Worries about the future of the oil-Venezuela oil-for-future contract appear to be fading.

There was a muted response



Nikki and Steve Connors, the husband and wife team who saw shares of Citron Press open at 52p on Ofex yesterday

following a visit by brokers to Williams's operations in Australia, with the price softening 2p to 355p. The visit highlighted a significant change in strategy by the group that is likely to be repeated at its operations worldwide. WestLB Panmure was one of the brokers present and appears to have been impressed. It rates the shares a "buy".

Brokers expressed scepticism about weekend reports suggesting that Williams may have reopened merger talks with Tyco International of the US.

Laura Ashley ticked higher finishing 14p dearer at 204p after briefly touching 203p. The story circulating in the Square Mile suggests Malaysia United Industries is poised to bid for the outstanding 60

per cent of the troubled soft furnishings group that it does not already own. Laura Ashley was quick to distance itself from the story, insisting that it had received no approaches from its biggest shareholder. During the past year, the price has virtually halved from a peak of 40p.

IWF International responded to heavy buying of the shares by directors with a rise of 12p to 147p. A total of seven directors have between them picked up 3.8 million shares. It included one million shares picked up by Patrick Moran, chief executive, which stretched his holding to 4.2 million, or 5.3 per cent, and a further one million bought by Richard Hayes. He now owns 1.25 million, or 1.6 per cent.

Medeva gained 4p to 95p on the news of share purchases by one director. Peter Read has bought 5,000 shares at 96p.

Scottish Radio firmed 1 1/2p to 54p as Lord Gordon of Strathblane raised 600,000 from the sale of 10,000 shares at 600p. He still holds 26,720 shares, or less than 1 per cent.

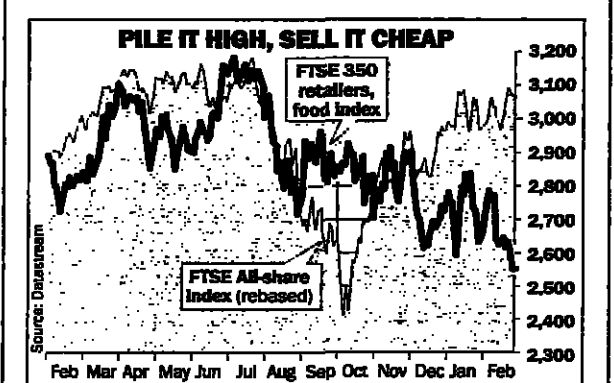
Over on Ofex, it was the first day of dealings for Citron Press, the publisher headed by husband and wife team Steve and Nikki Connors. The shares started life at 52p following a placing of 1.3 million shares valuing the company at £1.5 million. Citron is a niche publisher with its own authors co-operative and an innovative book club that has already been endorsed by the likes of Martin Amis.

The absence of any fresh bid news left Greenalls nursing a fall of 8p to 37p. The speculators claim Whitbread, unmoved at 883p, is poised to make an offer.

GILT-EDGED: Bond prices struggled to make headway in early trading and only came to life on the back of a futures-inspired rally.

In the futures pit, the March series of the long gilt added 33p to £117.57 with just 17,000 contracts completed. In the cash market, Treasury 8 per cent 2021 put on 26p at £148.97, while at the shorter end Treasury 7 per cent 2002 finished 10p better at £107.17.

NEW YORK: US shares were higher by a rally in the Dow Jones industrial average was up 114.63 points to 9,454.53.



BACK in the old days when Sir Jack Cohen ran Tesco, his motto was "pile 'em high, sell 'em cheap". Nothing much has changed.

This week's price cuts initiated by Tesco are aimed at gaining market share and undermining rivals.

It has already undermined their shares with Asda down 3p to 149p, J Sainsbury 7p off at 358p, Somerfield 5p cheaper at 352p, Safeway 14p down to 271p and Morrisons Supermarkets 24p lighter at 319p. Unfortunately, it also

left Tesco 24p easier at 173p. Brokers, who expressed concern about the prospect of a new price war towards the end of last week, appear now to be taking a more sanguine view.

Some say Tesco's campaign cannot be supported long term. Asda and Sainsbury are not expected to make any further margin investment. Only Safeway appears vulnerable.

The OFT industry report is due soon and will probably be deferred to the Monopolies Commission.

New York (midday):

Dow Jones 9454.53 (+114.63)

S&P Composite 1287.81 (+18.59)

Tokyo 14256.67 (+158.63)

Hong Kong 9229.34 (+34.78)

Amsterdam 528.31 (+10.88)

Sydney 2916.5 (-4.6)

Frankfurt 4845.16 (+42.89)

Singapore 1400.18 (+25.97)

Brussels 3444.94 (+28.64)

Paris 4165.86 (+38.38)

Zurich 1147.2 (+0.15)

London 5087.3 (+17.0)

FTSE 100 6069.9 (+38.7)

FTSE 250 5180.7 (+7.6)

FTSE 100-Share 2779.7 (+15.2)

FTSE 100-Index 2627.8 (+26.0)

FTSE 100-Index 156.16 (-0.15)

FTSE 100-Index 1147.2 (+0.15)

FTSE 100-Index 915.5m

FTSE 100-Index 1.827 (-0.008)

FTSE 100-Index 0.6796 (-0.0011)

FTSE 100-Index 101.9 (Share)

Bank on England official close (April)

RPI 163.4 Jan (2.4) Jan 1987-100

RPI 161.8 Jan (2.6) Jan 1987-100

AIM VCT 100

Abbey Nat Dublin Inv 88

Accum Income Fund 101 1/2

BSI Overseas Inc & South Inc 98

BSI Overseas Inc & South Inc 100

Close Bros Dev VCT 100

Enhanced Euro Trust 101 1/2

Gardner Properties 7 1/2

Golden Prospect 29 1/2

Jupiter En Dev Pl 107 1/2

Jupiter En Dev Pl 98 1/2

NEA Quantum 100 1/2

Ambient Media plc (49)

Peptide Therapeutics plc (78) 21

RISES:

Stock Close Chng Chng%

Mourview 2300 +400 +21.0

Uster 78 -14 -17.9

White Young Grm 58 +11 +12.5

HW Group 106 +10 +10.4

Micro 4 50 +3 +6.0

North Anglia 24 +2 +8.3

Acorn 158 +12 +7.6

WP Int 147 +12 +8.2

ADM 132 +10 +7.6

Heron 68 +8 +11.8

Yare 138 +7 +5.1

Unilever 625 +42 +6.7

Admiral 1417 +6 +0.4

Harvey Nash 362 +22 +6.1

Gencor 142 +8 +5.6

Shenli 1582 +52 +3.3

Electron 8 1204 +68 +5.6

Real Time 535 +12 +2.3

Rank Plc 225 +12 +5.3

Real Time 535 +12 +2.3

Hornby 245 +12 +4.9

Photobank 247 +12 +4.9

Br Energy 645 +3 +0.5

Royal Mail 2631 +12 +0.5

Liberty 427 +19 +4.4

Anglo Am Plc 934 +19 +2.0

ASX 40 -4 -9.0

FALLS:

Stock Close Chng Chng%

Antares 12 -2 -13.7

Antares 12 -2 -13.7

Heron 68 -8 -11.8

Heron 68 -8 -11.8

Liberty 427 -12 -2.8

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Fair to Midlanding

AS ODD as it may sound, the bad-debt charge contained in HSBC's results was not the most worrying issue for shareholders. In fact, some conservative banking analysts would almost have drawn comfort from the huge rise.

Of more concern to the market is HSBC's short-term outlook for some Asian countries. Suggestions by John Bond, group chairman, that further setbacks are possible in parts of the embattled region ensures that the stock remains immersed in the uncertainty deserving of an entry lending money in Asia.

Investors responded to yesterday's result and Mr Bond's update by slicing HSBC's prospective earnings multiple from 18.5 to 16. This means the stock has traded the small premium it carried over the rest of the sector for a similar-sized discount.

There are also grounds to believe that this

discount could grow over the next six months as the market digests the restrictive impact of Asia on HSBC's dividend growth.

Mr Bond's admission that credit conditions deteriorated in Hong Kong and Malaysia in the second half combined with uncertain signals from Europe, means the financial services company could be set for a rocky road in the next six months.

However, HSBC's core operations are sound, as shown by the 5.8 per cent rise in operating profit before provisions. Its strong capital position means it is also able to make opportunistic acquisitions, such as its purchase of a 70 per cent stake in Korea's Seoul Bank.

The longer-term outlook is boosted further by plans to consolidate its complicated share structure and seek a New York listing. Buy for the long term.

Guardian IT

GUARDIAN IT, the largest disaster-recovery business in the UK, is emerging as a serious player in France, Germany and South America. It is a simple business: the company owns vast warehouses and trucks brimming with the latest IT equipment. Clients buy access to these warehouses and trucks in case of an emergency.

Guardian estimates about 5 per cent of its clients suffer at least one disaster each year, mostly related to hardware failure, but also involving floods and other freak weather conditions. Guardian has healthy growth potential: it can sell additional services to its customers, win new contracts, and increase significantly its share of new markets.

The company will also benefit from any tightening of

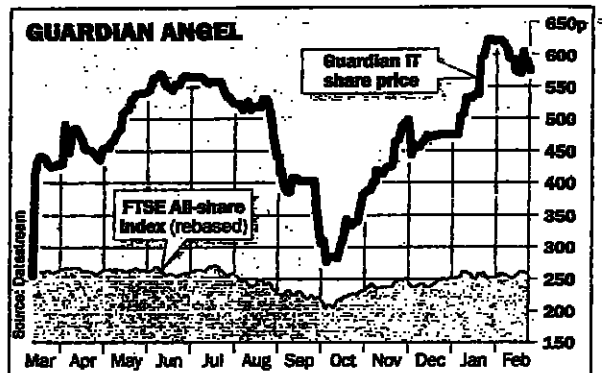
regulation in the financial sector, companies already

have to prove they have disaster-recovery services in place.

On the downside, Guardian's 25 per cent margins look unsustainable in the short term, given its £15 million investment plan for this year. There is also a fear that after 2000, many companies may begin to feel that that the

threat to their IT systems has

passed. Guardian is a well-run business, but the fact that directors and senior management have decided to sell down their stakes now must surely say something about the company's share price, which represents a breath-taking 53. At best, a hold.



Ulster Television

THE old joke about Ulster Presbyterians keeping the Sabbath, and everything else they can get their hands on, comes to mind when contemplating the future of Ulster Television.

With its 35p special dividend, the company is, of course, giving money back to shareholders rather than keeping it itself but the principle still holds. The directors do not believe in squandering their cash.

As a principle this is a difficult strategy to fault. Yet UTV is becoming a serial offender. This is the second time in three years that a wedge of money has been thrown back at investors and the company said yesterday that more is on the way after it sells its residual stake in SES, the Luxembourg satellite group.

Shareholders may wonder, however, whether there is a paralysis of imagination and will on the UTV board. Is the

media really an area where there are no opportunities for meaningful investments for the future? Where indeed is the next SES investment - spectacularly successful in percentage terms - coming from if all the spare cash is immediately returned to shareholders?

The licence for the UK's third channel will remain a considerable milk cow for years to come and UTV's expansion into the Irish Republic is eminently sensible - but maybe a quick reading of the parable of the talents might offer some useful guidance. Hold on for the special payouts and then re-evaluate.

Euroland must shoulder the blame for US deficit

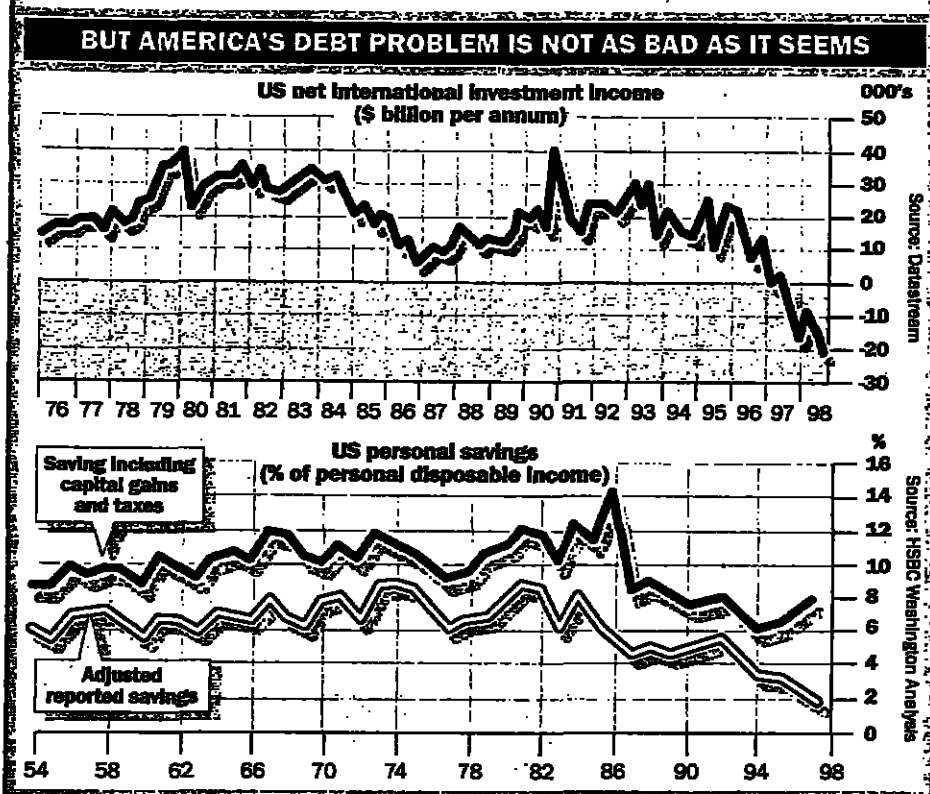
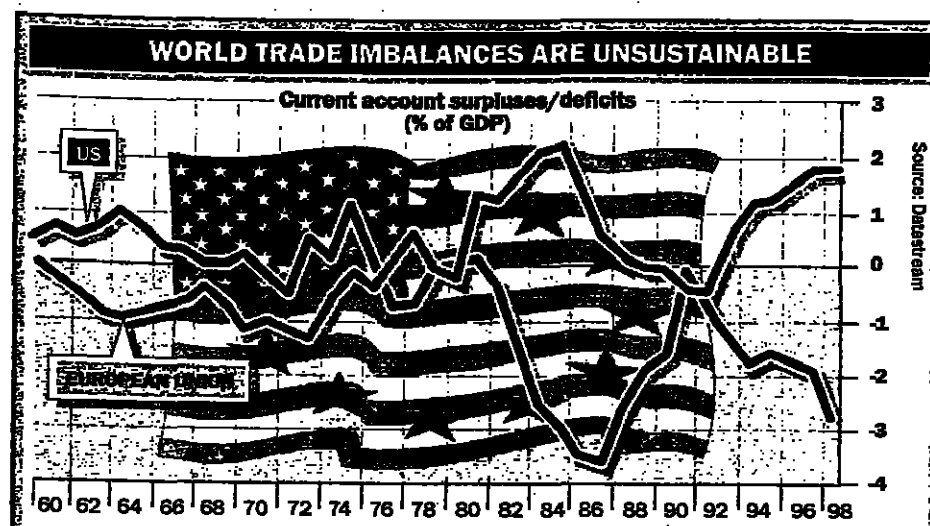
A protectionist response from America would be largely justified

Three weeks ago I wrote in this column that the biggest economic story of 1999 is likely to be the growing international pressure on Europe to do its part in sustaining global growth and countering the unacceptable imbalances of world trade. BUT I had no idea at the time how quickly this prediction would be realised. The attacks on the euroland delegation at Saturday's meeting of the G7 finance ministers and central bankers in Berlin were certainly the most acrimonious since the public dressing-down delivered exactly a year ago in London to Hikaru Matsumura, the luckless temporary boss of the Japanese Ministry of Finance.

Not content with completely removing from the agenda any mention of the currency target zones enthusiastically promoted by the meeting's German chairman, Oskar Lafontaine, the other delegations objected to the excessive representation of the euroland at what was supposed to be a small and informal gathering. Why, it was asked, should German, French and Italian central bankers be invited, now that they had been demoted to the status of branch managers at the ECB? And why should a place be reserved for Yves Thibault de Silguy, the Brussels Monetary Affairs Commissioner, given that four members of the European Council of Ministers were already in the room? A diplomatic compromise was agreed on representation — M de Silguy "voluntarily" withdrew from the meeting, under pressure from commitments in Brussels, while the euroland central bankers were invited to attend in their personal capacities, with the understanding that the same courtesy might not necessarily be extended to their successors at the Banque de France, the Banca d'Italia and even the once-mighty Bundesbank.

The tiff over representation was, of course, just a storm in a teacup, but it did draw attention to two bigger issues. One was the paradoxical fact that countries which join the eurozone are likely to lose international influence, rather than gain it. The other was that all of the G7 governments are finally waking up to the need for a U-turn towards an explicit policy of macroeconomic demand expansion in Europe, comparable to the U-turns that occurred in August 1982 in America, in September 1992 in Britain and which may be occurring in Japan just about now.

The question about international influence can be examined quite briefly. Obviously national central bankers in euroland are being emasculated by EMU, but what is less widely



recognised is that national finance ministers will gradually suffer the same fate. On Saturday the euroland finance ministers were tangibly weakened at the G7 meeting by the confusion about ECB representation. Indeed, one version of the "who sits round the table" row was that Herr Lafontaine himself suggested the exclusion of German, French and Italian central bankers; the last thing he wanted was a meeting packed with allies of Wim Duisenberg. With each successive international meeting it will become clearer that the voices of Euroland's national politicians, far from being amplified by the creation of the euro, will be diminished, at least on economic issues. Instead of enjoying an international rank somewhere between the Japanese and Canadian Prime Ministers, euroland leaders will have to get used to the sort of international status now accorded the Governors of California or Texas. Tony Blair and Gordon Brown please note.

Turning now to the substantive economic issue of Saturday's G7 meeting, I make no apology for reproducing the top chart above for the second time this month. The chart shows simply that the rapidly growing US trade deficit, generally recognised as the Achilles' heel of the miraculously strong

American economy, can instead be diagnosed as a European problem. America's current account deficit, forecast by the OECD this year at \$270 billion, is likely to be matched almost exactly by surpluses of \$140 billion each in euroland and Japan.

These surpluses are dangerous symptoms of deflationary malignancies in both Europe and Japan. What makes the European surplus even more disquieting and internationally unacceptable than the Japanese one is that it has been growing rapidly over the past decade, directly reflecting the beggar-my-neighbour policies of protectionism and mass unemployment pursued by the European governments and central banks. As recently as 1993, for example, euroland's current account surplus was only \$20 billion, while Japan's surplus was \$132 billion and America's deficit was a very manageable \$51 billion.

In the five years since then, the Japanese surplus has actually diminished somewhat, while the American and European imbalances have each increased by well over \$100 billion. The arithmetic implication is that almost all the deterioration of the US trade deficit can be attributed to the deflationary and mercantilist policies pursued by continental Europeans. This was, in essence, the argument made at Saturday's G7 meeting by Robert Rubin, the Treasury Secretary, with strong reinforcement from the Federal Reserve's Alan Greenspan.

America is not, of course, seeking to eliminate its trade deficit completely. US trade deficits of \$100 billion or so could be sustained for years or even decades because America's position as an international investor was (and still is) much stronger than many economists believed. Although persistent trade deficits since the mid-1980s had turned America from the world's leading creditor nation into an international debtor to the tune of about \$1 trillion by 1996, America was really much richer than the crude figures suggested. Its foreign holdings were largely in the form of highly profitable equities and direct investments, while foreign investment in the US was mainly in the form of low-yielding bank deposits and short-term Treasury bonds. A better measure of America's international investment position, represented by my middle chart, shows that the US was still receiving a net income from its overseas investments in 1996, even when it was apparently a foreign debtor to the

world. But there is a more serious objection than factual inaccuracy to Europe's attempt to blame America's self-indulgence for the transatlantic trade imbalance. The Europeans know full well that a sudden cutback in American consumption would inflict disaster on a euroland economy threatened by global deflation. Instead of deflecting blame, European politicians and central bankers must recognise that the responsibility for dealing with world economic imbalances now lies largely in their hands. If Europe continues to ignore the destabilising international effects of its protectionist policies of mass unemployment, it should prepare for a protectionist response from America — a protectionist backlash that would be largely justified.

tune of \$800 billion. By 1997, however, America's net foreign income did finally move into the red and is now incurring a servicing cost of about \$30 billion a year. This is still modest in comparison with an apparent foreign debt of more than \$1.5 trillion. But it does indicate the long-term costs that America would suffer if it continued to act as the world's importer of first and last resort. From this point of view, the growing pressure in America to reduce the trade deficit is both politically understandable and economically justified.

To the American accusation that European deflation and mass unemployment is at the heart of the US trade problem, the Europeans had an unconvincing retort in Berlin. Americans, they argued, were intoxicated by an unsustainable pull market on Wall Street and were consuming too much. If only Americans started to save a bit more, the US trade deficit would diminish even without any retaliatory action in Europe. This argument is factually inaccurate. American savings are not as deficient, nor as dependent on the stock market, as is generally supposed. In fact, OECD figures suggest that Americans' savings are higher, in relation to incomes, than savings in any other country, including Germany and France. And they would remain higher even if stock markets fell by 40 per cent.

One of the main reasons why US savings appear so low is the anomalous treatment of taxes and capital gains. Capital gains are not counted as personal income, even when they are realised and the money is either spent or reinvested. But the taxes paid on realised capital gains are subtracted from personal income and saving. The paradoxical result is that when Americans act prudently and sell shares into a rising stock market, reinvesting the proceeds in bank deposits or bonds, the personal saving rate actually declines. The bottom chart, adapted from work done by Douglas Lee, of HSBC in Washington, shows that the US saving rate was not much lower in 1998 than it was a decade earlier if capital gains and taxes were treated in a consistent way.

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Life duly fielded a member to give an interview. The first indication all was not well was when the interviewer arrived in an army jacket and wearing a huge medallion. All he was interested in was questions about selling drugs and fist fights on the trading floor. The "interviewer", I think you will find, was from The Eleven O'Clock Show, a satirical programme watched mainly by drunken students. Life, quite rightly, complained to Channel 4. The same film crew has also been spotted lurking around the Royal Exchange. You have been warned.

BNFL's storage of nuclear waste at Sellafield has left a legacy of controversy about leaks

Selling off BNFL promises to be a messy business

The nuclear group could be privatised, writes Graham Searjeant

BNFL is used to headlines. The Sellafield nuclear fuel and power generating group has been the focus of dozens of populist anti-nuclear campaigns, mostly recently by the German Government. BNFL will soon hit the headlines for a different reason. New Labour is thinking of privatising it. The Treasury wants the cash, upwards of £1 billion for a 49 per cent stake or more than double that for the lot. The company wants funds to realise its ambition to become the world's leading nuclear services organisation. Five months ago, Peter Mandelson asked KPMG to advise. A team led by Dame Sheila Masters made a supposedly keen interim report at Christmas to Stephen Byers, his successor at the Department of Trade and Industry. The final version is due any day.

In between, Germany decided to cancel £1.2 billion in fuel reprocessing contracts immediately, with no compensation. It put the whole thing on hold after learning that it was bound to continue full payment until 2004, and that 500 tons of unprocessed, highly radioactive waste would be sent straight back to a delighted Germany in sealed trains.

BNFL's third-biggest contract should be safe for a few years, but the episode reminded potential investors that almost everything the company does is politically charged. Usually, it is financially complex too. Even nuclear weapons can be made an issue, although there is no legitimate market for plutonium. One of BNFL's reactors still supplies vital tritium gas to maintain nuclear warheads in firing condition.

The German Government still aims to end reprocessing after the early take-or-pay contracts are exhausted. This would add to pressure elsewhere to end reprocessing in favour of storing spent fuel. The £2 billion Thorp project, BNFL's newest reprocessing plant, was built to service a family of UK pressurised water reactors, of which only one was built. It relies on contracts to reprocess Japanese waste. BNFL also wants to sell mixed oxide fuel, using unwanted plutonium. Critics claim that the £300 million project cannot compete with fuel from mined uranium at today's low prices. There is little profit there either. Nuclear power generates energy without pollution but is in global decline because it produces the filthiest, most unmanageable waste. BNFL

wants to make the best of this by diversifying beyond generating and reprocessing into clean-up, storage and repair. A relatively new executive team under John Taylor, formerly of Exxon, aims to create the world leader in a \$35-billion-a-year nuclear services business by consolidating the shrinking industry. More cash will be needed. The DTI backed a strategic move last year to buy the one-time Westinghouse nuclear business in America for £740 million. All but £150 million was in future contract liabilities. The key reclamation business, like clean-up contracts in America and at Chernobyl, are in various partnerships with Morrison Knudsen, a US contractor which must lead Federal contracts.

Group pre-tax profits are stationary at about £200 million, an eighth of revenue, although the changing mix is still a state secret. Providing for future liabilities, some still funded by the Government, would also require an amazing *glasnost* if BNFL were floated. Flotation would surely be aimed at institutions that backed previous nuclear issues, including British Energy, rather than the public. But any investors earning profits from nuclear waste, or even clean-ups, will face flak.

Safe storage of high-level waste is a possible growth industry, in which BNFL is experienced. But storage at Sellafield has also left a legacy of complaints about radioactive leaks, not least from Ireland. The group's first-generation Magnox nuclear stations were hived off from British Energy as a prerequisite for its privatisation, partly because of their costly fuel reprocessing contracts with BNFL. Most were close to the end of their intended lives and faced costly decommissioning. Under BNFL management, concerted efforts have extended the safe working lives of the nine remaining Magnox stations. Mr Taylor also aims to cut annual operating costs by a quarter in four years, saving £200 million across the group. Magnox stations, which produce 8 per cent of UK electricity, are vulnerable to the regulator's plan to end the profitable power pool. Westinghouse comes with a new-generation design of light water reactor, the AP 600. But the market has dried up since the Chernobyl explosion and falls in oil and gas prices, in spite of commitments to cut greenhouse gas emissions. BNFL believes that Westinghouse will have a strong continuing business in trying to extend the lives of existing nuclear power plants. This has become nuclear operators' strategy round the world. Objections to swelling nuclear waste are so strong, however, that a sustained return to nuclear power relies on efforts to accelerate the decay of radioactivity. Rival European and US projects are at an early stage. Both rely on transmitting isotopes that will emit radioactivity for long periods into closely related isotopes with short half-lives that will become safe fast. The idea is to bombard the radioactive matter from a particle accelerator. No practical economic plant is likely to be developed for 20 years. Some scientific authorities still contend that the process is theoretically impossible. The argument would make an interesting reading in a prospectus written by City lawyers.

Hands on

GUY HANDS, head of Nomura's principal finance group and the least popular man at Warburg Dillon Read, has given a rare interview, to *Property Week*. This was before the sale of William Hill, and Hands is by now well out of the way of the row and on a family holiday in Barbados. Hands recalled an earlier example of finding value where others had overlooked it. Before going to Oxford he worked as a semi-professional photographer, specialising in weddings



Guy Hands: once a snapper-up of unconsidered trifles

and so on. He was asked to do a series of portraits for a local school. The lab took the film and ruined it, the pictures coming out grainy and unuseable. Hands refused to pay for the work but took the photos anyway. Realising that parents were likely to be less discriminating, he then approached them direct and offered the pictures of their offspring. Every parent bought them.

NOW that, as I predicted, Graham Wallace has been installed as chief executive of Cable & Wireless, what of the only other serious internal candidate? Robert Lervill, finance director, has only been there two years, having joined from WPP Group after ten years at Arthur Andersen. There are strong suggestions within C&W that he may decide to move on and make the difficult transition from finance man to chief executive elsewhere. With his track record he would seem the ideal man to plug one of the many gaps at the top of quoted companies. We shall see.

Mail shot

IS THIS creepy, or what? There is a programme you can install in your e-mail system called MIMESweeper which will filter out messages whose



content is objectionable. It is in use at a big City law firm. A colleague sent a perfectly harmless e-mail there recently. He received by return the information that the software had analysed the content of his message against a thesaurus of inadmissible words "and the e-mail has passed the test". However, "it is likely that the admissibility criteria will be tightened in the future." Surprised, he copied this message and sent it back to his original contact there. By return he received no less than four e-mails labelled "MESSAGE REJECTED". The contents had been analysed and failed the test.

He rang the law firm's IT people to ask what words they objected to. The message contained a swear word, he was told. Except that I have seen it and it certainly did not. One can only

assume the firm does not want its employees to know their messages are being scrutinised. Are yours?

THE national hysteria over money laundering has reached a new low. As I have mentioned, you are already required to provide proof of identity if you take out an insurance policy. Now a reader reports how she went into a small local post office with exactly £2 in small change, asking to exchange this for pound coins. She was told that, because of fears that she might be trying to launder the ill-gotten gains of some illicit transaction, she would have to pay the money into a Giro account.

For two quid? Certainly. She departed instead with a book of stamps.

Liffe story

DOWN at Liffe, the financial futures exchange, they are used to coping with the media, so there was no surprise when someone purporting to work for Channel 4 approached with a request for an interview with a trader.

Liffe was, after all, already dealing with one independent TV company making a series of six programmes about the City for the channel. "A call came in from another independent company saying Channel 4 was making an educational guide for young people on the City, and could they come in," says my informant.

Liffe duly fielded a member to give an interview. The first indication all was not well was when the interviewer arrived in an army jacket and wearing a huge medallion. All he was interested in was questions about selling drugs and fist fights on the trading floor. The "interviewer", I think you will find, was from The Eleven O'Clock Show, a satirical programme watched mainly by drunken students. Life, quite rightly, complained to Channel 4. The same film crew has also been spotted lurking around the Royal Exchange. You have been warned.

MARTIN WALLER
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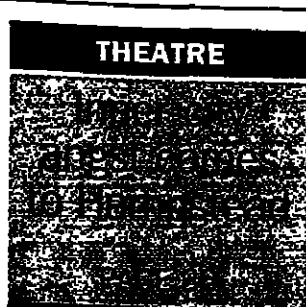
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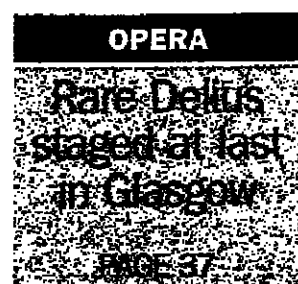
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THE TIMES ARTS



OPERA

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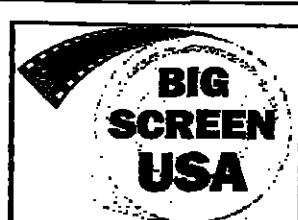
Office Space, a timely satire on corporate America, is a cartoon triumph with real people, Giles Whittell writes

Work sucks. In case translation is needed, this means work is a drag, boring and generally not worth doing, which even in the era of stock options and casual Fridays is not a bad premise for a movie. The phrase appears on every piece of publicity for *Office Space*, one of the weekend's big releases in America, and not only because working types tend to agree with it. "Sucks" is also a mantra for a market that Twentieth Century Fox would hate to miss with this film: eight million fans of Beavis and Butt-head, the animated teenage nihilists for whom everything sucks.

Office Space is Mike Judge's debut as a live-action director. He is a mild-mannered engineer who made parts for US Navy fighters before hitting paydirt five years ago with the odious B & B, a pair of cartoon cretins who popularised the expression "Duh" and amuse themselves by blowing up cats with firecrackers. When Beavis and Butt-head were launched, *Time* magazine accurately noted that they "do nothing, absorb nothing and stand for even less", which is exactly why the MTV generation adores them.

Since then Judge has not put a foot wrong, at least in business terms. His first cartoon feature, *Beavis and Butt-head*, in America, took a tidy \$63 million in America alone. He has since produced a second television cartoon series, the subtler but equally scabrous *King of the Hill*. The question in Hollywood this weekend was: can he do real movies too? The answer is yes. The critics are divided, but those who wrote off *Office Space* as only "moderately effective" (*The New York Times*) or having "the feel of a sitcom pilot" (*National Public Radio*) have clearly not spent long in a veal-padded corporate cubicle.

The script is not consistently brilliant and the look of the film never rises above that of decent television, but its central trick is inspired. In fact, there are moments in these deceptively simple 90 minutes when — someone had to say it — one feels in the presence of the Dickens of light 1990s social cinema. *Office Space* starts in a traffic jam, the defining milieu of booming Clintonian America. Why didn't anyone think of this before? In a sense they did. *Falling Down*



started in a traffic jam and went on to be one of Michael Douglas's better films, but it wasn't funny.

Judge's traffic jam, on the other hand, is excruciatingly funny, and it comes as no surprise to learn that he works hard to make this sort of comedy seem easy. Asked if he slaved over the visual gags in *Beavis and Butt-head*, he once replied by quoting Michael Palin: "You can't put a guy in a Viking outfit and hit him with a chicken without careful preparation."

The traffic jam happens to be in Texas, where Judge lives, but it could be anywhere. Likewise the giant computer firm where Peter Gibbons, played by Ron Livingston, is first seen wasting his life in a dead-end data-entry job enlivened only by glimpses of Jennifer Aniston in a themed coffee shop across the parking lot.

Judge allows himself one flight of fancy. He sends the benighted Gibbons to a hypnotherapist who keels over from a heart attack after juggling him into a state of blissful fearlessness. Gibbons is suddenly a man in flip-flops, smiling sleepily instead of clinging to his sanity. He goes to work when he wants, which isn't much. He smoothly woos the waitress, played by Aniston.

Then, even as his two best friends get "downsized", he is recognised by a pair of menacing consultants as "upper management material".

This is the trick, and the shock is that it's perfectly believable. It reveals everything Willy Loman never quite grasped about human nature and the power of *cajones*. After one spectacular non-appearance at work, the friends ask Gibbons what he was up to. He replies: "I did absolutely nothing, and it was everything I thought it would be." Admirers of *Beavis and Butt-head* will know that the joy of doing nothing, at least for a particular type of early male adolescent, is Judge's grand theme.

There are also quieter echoes of the B & B mentality in *Office Space*. Early on, Gibbons asks his engagingly red-necked neighbour what he would do with a million dollars. The reply comes after a solemn pause: "I tell you what I'd do, Peter. Two chicks at the same time." Later there are panicked forecasts of "ass-pounding" in a federal penitentiary (critics have seen a homoerotic subtext to Beavis's relationship with Butt-head), and a hated fax machine is pulverised with a baseball bat (the whole B & B series grew out of a short, violent film called *Frog Baseball*).

Office Space loses traction as its few plot strands are resolved, but as a timely depiction of the data processor as neo-Luddite it works perfectly.



Jennifer Aniston and Ron Livingston in Mike Judge's *Office Space*, a film with a large and grown-up potential audience in everyone who ever had a job

In casting terms its discovery is Livingston, seen before only in *Swingers*. He finds the difference between loser and subversive in the slightest of eyebrow-twitches, and is destined for the big time after this.

He is supported by some superb cameos, but Aniston's is not one of them. She looks cute, but this is not her long-

awaited breakout role. Her ho-hum performances in *She's The One*, *Picture Perfect* and *The Object of My Affection* showed that stardom within *Friends* and without are very different things, and in last week's *Rolling Stone* magazine she admitted fearing that *Office Space* may leave her as "still just a hairstyle". It has

done just that, but with two consolations: she is much less embarrassing to watch than Elizabeth Hurley, currently appearing in America as a brainless television reporter in Disney's *My Favorite Martian*. And, unlike that film, *Office Space* has a large and grown-up potential audience in everyone who ever had a job.

US WEEKEND BOX OFFICE TAKINGS

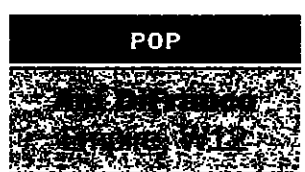
1- (1) <i>Men in a Bottle</i> (Warner)	\$10.3m/\$16.9m
2- (2) <i>Feyhock</i> (Paramount)	\$10.3m/\$14.3m
3- (3) <i>My Favorite Martian</i> (Disney)	\$8.7m/\$11.2m
4- (4) <i>Blat from the Past</i> (New Line)	\$6.1m/\$9.2m
5- (5) <i>October Sky</i> (Universal)	\$5.8m/\$8.7m
6- (6) <i>Shakespeare in Love</i> (Miramax)	\$5.8m/\$14.7m
7- (7) <i>She's All That</i> (Miramax)	\$5.4m/\$12.6m
8- (8) <i>Office Space</i> (Fox)	\$4.3m/\$
9- (9) <i>Remember</i> (Touchstone)	\$2.7m/\$6.3m
10- (10) <i>Saving Private Ryan</i> (DreamWorks)	\$2.4m/\$19.9m

© First amount is estimated weekend takings, Feb 19-21. Second amount is total takings to Feb 16. Figure in brackets indicates last week's position

Protest for all seasons

Protest singer, lesbian icon, indie entrepreneur, the new Alanis, righteous babe; forget everything you ever heard about Ani DiFranco. For when she walks on to a stage, all you need to know is that she is the most brilliant musician and performer you are likely to see in many a year of gig-going.

On the first of two nights at the Shepherd's Bush Empire, she played a superb set of songs with a vivacious energy that was utterly captivating. Her characterful three-piece band of keyboard, bass and drums were involved with the performance on every level, and played a key part early on in bringing to life the punchy, folk-funk arrangements of *Virtue* and *Jukebox* from DiFranco's current album, *Up Up Up*.



POP

Naturally, though, it was DiFranco who led the way, playing a variety of acoustic guitars with either sensuous delicacy or a ferocious attack, and delivering long stretches of poetic verse with any technique that came to hand, from the gorgeous folk melody of *Adam and Eve* to tongue-twisting stretches of scat and rap on *Two Little Girls and Pulse*.

Her bright, cheerful manner and a new, girl-next-door look — natural-coloured hair gathered into a simple ponytail — belied her outsider persona and the strength of her

commitment to what she does. A natural communicator, she enjoyed an easy rapport with the adoring crowd, while conveying sweeping extremes of emotion in her songs.

The lightness of touch in *Angry Anywhere*, in which she sympathetically addressed "the spectre of my parents", was immediately followed by a new song about terrorist attacks on abortion clinics in her home town of Buffalo and elsewhere that evoked a chilling sense of personal pain. "We're digging up all the graves/And we're spitting on the past," she sang on *Fuel*, another lyric with a savage bite.

As a personal statement, this show was as strong as it gets. As a musical performance it was truly exceptional.

DAVID SINCLAIR

Tears or cheers



prank did not spoil what became a more than passable reinforcement of Dru Hill's recently-won British acclaim. Given the mercurial nature of many soul practitioners when it comes to international tour-

ing, they climbed several rungs of the ladder simply by turning up, and doing so with good production values and a real, live band earned them further kudos.

While Dru Hill's second album, last year's *Enter the Dru*, restated their pitch as purveyors of the highly-strung ballad à la Boyz II Men, the added visuals helped to emphasise that lineage. Their

full-on, barefaced emoting traced back, via those Temptations, all the way to the impassioned soul-stirring of Jackie Wilson.

The show gathered momentum in the best tradition, and as a measure of the foursome's confidence, they saved both of their recent Top Five British hits, *These Are The Times* and the more street-smart *How Deep Is Your Love*, for the encore. By then, the air had cleared and the collective temperature duly risen.

PAUL SEXTON

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SOUL GROUPS that could move an audience to tears were always a valuable commodity, and have become even more collectable in a musical milieu filled with ersatz emotion. Within half an hour of Dru Hill taking the stage on Friday night, dozens of their fans were leaving the hall with moist eyes. Sadly, one of the most bankable of contemporary R&B combos had nothing to do with it.

Introduced by some empty-headed, bombastic cheerleading, the quartet from Baltimore had made a slick enough start, gyrating enthusiastically and harmonising sweetly in front of an imposing set. In threads of silver satin, they looked and sounded quite the part of a Temptations for the late 1990s, especially with the early delivery of their first American hit *Tell Me*.

But then some halfwit in the crowd decided that the party might swing a little better with the introduction of what seemed to be tear gas, causing a sizeable part of the Academy's rear section to be temporarily vacated. If the group had caught sight of the exodus, it might have shaken the swagger from their stride. Thankfully, this asinine

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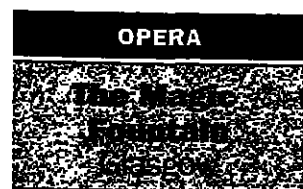
■ OPERA

Notable rediscovery

Delius's glory in full flood

Often when an opera languishes unstaged for a century there are good reasons. The ultra-hard-headed might argue that this is the case with Delius's second attempt at the genre, *The Magic Fountain*, which was completed in 1895, given its first performance in a BBC broadcast in 1977, and staged for the first time 18 months ago in Kiel. Scottish Opera's new production at the Theatre Royal on Saturday was the British stage premiere. It is not an unjustly neglected masterpiece, but the company was quite right to do it, did it for all the right reasons—chiefly because the music director Richard Armstrong is passionate about the music—and did so, very effectively, on a modest budget.

Delius's operas are not nearly as bad as they are supposed to be. *A Village Romeo* is one of those scores for which the term "minor masterpiece" might have been invented, and *Fennimore and Gerda* can be extremely effective on stage. And you have to admire the composer's heroic refusal to obey any operatic rules. Conventional structure and consideration for singers go out of the window; even length tells against them in that *Fountain*, like *Fennimore*, lasts for some 90 minutes—short commons for an evening out, slightly too long to form part of a double bill. Scottish Opera perform *Fountain* on its own and without breaks, a wise move since Delius declined to furnish anything so conventional as effective act-endings.



OPERA

There is not too much action. A Spanish conquistador sails to Florida in search of the fountain of eternal youth; his ship is wrecked; the sole survivor (a bit tough on his grumpy crew), he is taken in by Watawa, a Seminole Indian maiden whose family has been wiped out by the Spaniards; the chief points him in the direction of the fountain, and Watawa guides him into the Everglades with murder on her mind. The local wise man tells her that those who drink of the fountain unenlightened will die, but by now she realises that she loves her enemy and together they drink in a rapturous double *Liebestod*.

It is wonderfully dotty: the most effective scene is the first, on shipboard, which is not exactly central to the action; there is an Indian war dance, utterly irrelevant but presumably Delius thought it was time for a little variety; a female chorus of Spirits of the Fountain (lovely stuff) pops up just when you are longing for the denouement.

But the music itself is glorious, with Wagnerian leitmotifs nicely laid-out and tortuous Griegian chromaticism. Armstrong's heartfelt conducting made the strongest possible case for the piece. The principal roles are cruelly demand-

Going with the flow: Stephen Allen gives an heroic account of the role of Solano in Scottish Opera's British stage premiere of Delius's *The Magic Fountain*, written in 1895

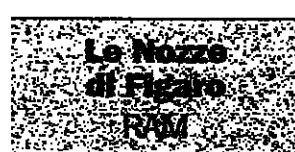
Good PR for proportional representation

The equal opportunities ethos was operating in full force for a pair of performances of *Figaro* at the Royal Academy of Music. The academy's students, mainly aged 24 to 27, joined forces with their colleagues at the Royal College of Music. There the rivalry ended.

Figaro was divided in half so that one set of mixed principals could sing the first two acts and a second team take over the last two. Rival pageboys alternated between the acts, a bit of a culture shock for the audience but scrupulously fair to the two mezzos.

So complex an arrangement would have been impossible without the guiding hands of highly experienced Mozartians. They were there in the shape of Colin Davis and director John Copley, who together have decades of *Figaros* behind them. Davis, relaxed and clearly enjoying himself, drew sinuous and rippling sound from the excellent student orchestra.

Copley had to struggle against the awful sight-lines of the RAM's theatre. But his main mission, which was to give his aspirant professionals the best possible chance of



Le Nozze di Figaro

showing their paces, was carried out with great skill.

The pace-setter and ultimate winner of the evening was an Australian baritone. Grant Doyle, who turned the Count (Acts III and IV) into a figure of real menace, poutingly sensuous. The aria was handled in bravura style and Doyle's general demeanour suggested that he carried more stage ex-

perience than some of his colleagues. Tim Mirfin caught both ear and eye as Figaro (Acts I and II), although it is probably not his role, lying too high for comfort. When the voice settles it may be more bass than baritone. He has presence and clean delivery, so it is no surprise that Glyndebourne has engaged him as an understudy in *Clemenza* this summer. The second-half Figaro (Jonathan Gunthorpe) was very much the servant, a Leporello in the making.

The female roles were dominated by a massive intake of Swedes, all probably hoping

to be the Nilssons and Söderströms of the future. Among them Camilla Tilling, handled Susanna's *Deh vieni* with a melancholic delicacy that hinted she was as apprehensive as the Countess over love's delights. In that role Inga Kalna (Acts III and IV) from Latvia suggested too that she could have a good future.

Earlier Sarah Fox, one of Britain's few representatives on stage, made a feisty Susanna. Comedy looks to be her forte.

JOHN HIGGINS

From Prague with a spring

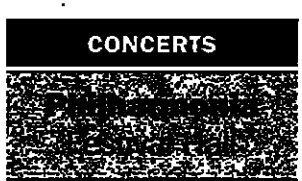
I commented sceptically on the Philharmonia's Czech Connections series when it began in December. The chance to introduce people to some of the fine scores of Fibich, Novák or Suk (the latter was represented only by his *Serenade for Strings*) was passed up in favour of such warhorses as Dvořák's *New World Symphony* and Cello Concerto, which hardly need a special series to find an audience. The final concert in the series, on Saturday night, did at least include one unfamiliar score, Karel Husa's *Music for Prague*, which made for a neat pairing with Dvořák's *Symphony No 8* in G.

Husa's work is the personal response of a native of Prague to the Soviet invasion of 1968. Among its iconic features are an old Hussite song of resistance (used also by Smetana in *Má Vlast*), the sound of

church bells (signalling both distress and victory) and a bird call (piccolo solo) symbolising liberty. The Introduction and Fanfare promise a large-scale piece of considerable emotional power. The final Toccata and Chorale, and the preceding Interlude for percussion only, do not quite sustain



Slatkin: lilting rhythms and open-air ebullience



CONCERTS

this level of inspiration, and the fortissimo unisons in which the work ends have more of the battering ram than the triumph of idealism.

In this context, Leonard Slatkin's account of the Adagio of Dvořák's Eighth took on extra dimensions. Where usually it seems little more than a pastoral idyll with a stormy interlude, here it could be read as a miniature tone poem of Czech nationalism. The surging phrases of the opening were immediately counteracted by the dark tones of clarinets and bassoons, while the skittering string scales shortly after built to a climax worthy of

Beethoven in revolutionary mode.

Melodramatically hushed whispers and further outbursts later maintained the sense of an underlying programme. For the rest, Dvořák's lilting dance rhythms and open-air ebullience were faithfully captured by Slatkin and the Philharmonia, whose players made fine contributions both individually and collectively.

To the solo part of Tchaikovsky's Violin Concerto, the Chinese-American Cho-Liang Lin brought expressive freedom and consummate technical control. He has the rare ability to make light of the most taxing virtuoso demands without in any way giving the impression of skimming the surface.

BARRY MILLINGTON

Colour them eloquent

ECO/Edwards Queen Elizabeth Hall

IS THERE a case, Barry Millington writes, for banning for life from the South Bank Centre a person who allows his mobile phone to ring during the final hushed offstage horn solo of Britten's *Serenade for Tenor, Horn and Strings*? Certainly the anger of several hundred people in the Queen Elizabeth Hall on Friday night was palpable, for the *Serenade* had been eloquently delivered by the tenor Adrian Thompson and the horn player John Thurgood.

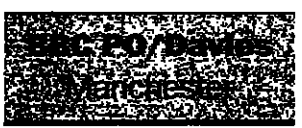
The latter's solos were flawless, even those fearsome hand-stopped harmonics that have to sound wrong to be right. Thompson's way with the piece is robustly expressive, an approach justified by imagery such as "chariot" and "monstrous elephant". The English Chamber Orchestra, much rejuvenated under the leadership of Stephanie

Gonley and playing with more precision than before, contributed a finely honed backdrop, crafted idiomatically by Sian Edwards on the rostrum.

Thompson returned after the interval for another song cycle, this time *Memorials of Sleep* by Anthony Powers. The cycle was written for Aldeburgh, so perhaps the echoes of the Sea Lullabies from *Peter Grimes* in *Lesbos* and *Aphrodite* are no coincidence. Powers also shares with Britten an exquisite ear for sonority as well as a penchant for economy. The "little ripples of ecstatic liquid sound" in Lawrence Durrell's verse *Echoes*, for example, are depicted by flutes and tinkling bells, though Powers is not afraid to let the voice be heard unaccompanied for many a phrase. This is a score at once sensuous and rarefied: a delight to the ear and an ideal companion piece to the Britten *Serenade*.

Rudolf Barshai's arrangement for chamber orchestra of Shostakovich's Fourth String Quartet also makes skilful use of colouring: the sinister tones of bass clarinet and lower strings in the third movement are followed by trumpets, horns and drums, bringing out the aggression latent in the string writing. Edwards and the ECO were as alert to these nuances as to the flexible phrasing of that hymn to marital intimacy: Wagner's *Siegfried Idyll*.

Sea changes



SIR Peter Maxwell Davies's *A Reel for Seven Fishermen*, written for the San Francisco Symphony last year, is like nothing else of his. The materials and the imagery are familiar enough—plainsong, Scottish fiddle music and folk song, the movement of the waves, a bird in flight, the overwhelming surge of the sea—and so is the source of inspiration in an Orphic poem by George Mackay Brown. But the inner workings, at least in a score of this stature, have never been so transparent.

On its first performance in this country, with the composer conducting the BBC Philharmonic in the Bridgewater Hall, *A Reel for Seven Fishermen* was interesting above all for the development of the underlying *Crux fidelis* melody from its early exposure in the first movement to its transformation into a folk-like lament at the end of the third. The detail of the motivic working, woven into intricate textures and most delicately coloured by woodwind and percussion in the central movement, is both

intriguing and captivating. What is missing, or seemed to be, is the sense of purpose that unfailingly motivates even the longest and least accessible of his scores.

Perhaps it was a matter of performance. Certainly, the scoring, which is resourceful on a level new even to this most prolific of composers, requires much detailed attention from the listener and the performer, both of whom could well be distracted from the fundamental issues of the piece. The rest of the concert was conducted by Vasily Sinaisky, who delivered a characteristically spontaneous interpretation of Shostakovich's Sixth Symphony, challenging the BBC Philharmonic to the extremes of expression between rumination and outright vulgarity and sweeping aside all inhibitions in the process. He also presided over a sensitive accompaniment to Kathryn Stott, who, deputising at a day's notice for Lars Vogt in Beethoven's Fourth Piano Concerto, offered a performance remarkable for its authentic colouring, its thoughtfulness and, though modestly proportioned, its distinctive profile.

GERALD LARNER

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THE TIMES UCI CINEMAS ADMITS ONE TOKEN 2

CHANGING TIMES

John H. 1.50

Government's e-commerce ideas are due

By HENRIETTA LAKE

NEW safeguards are to be introduced for those doing business on the Internet. The Government is expected next week to issue its long-awaited consultation paper on the Electronic Commerce Bill. The move should help small firms to become more competitive.

It is estimated that a quarter of business deals will soon be done online and the Government is keen to create a legal framework in which such a trade can flourish. But until now concern over the security of the Internet has hampered the acceptance of e-commerce by business and consumers.

The consultation paper will contain proposals to make all electronic documents, transactions and signatures carry the same weight in law as on paper. It will look at ways of authenticating data and identities of people on the Internet and ensuring commercial confidentiality.

Peter Agar, deputy director-general of the Confederation of British Industry, said: "Trust underpins any market and the online environment is no different."

"If the Government gets the Bill right it will help to create the framework within which businesses and consumers can trade with confidence on the Internet, dramatically increasing the amount of business done." Companies need to be sure of the identity and legitimacy of the person they are doing business with online. They need to know that no one will tamper with commercially sensitive data put on the Internet. Firms also need to be able to transfer money securely.

"On the Internet there is no one to shout at if a payment does not arrive," said Paul Baker, a partner at KPMG, the accountants. But as interest in electronic commerce grows so does the Government's preoccupation with cyberfraud. One of the key issues surrounding the Bill and delaying its implementation is the issue of encryption — essentially coding data. The right balance needs to be found between commercial confidentiality and law enforcement. The Government is worried that money launderers, terrorists and the like might take advantage of the new secure environment and want access to snoop if it suspects wrongdoing.

Despite the problems and complexity surrounding e-commerce it is not an issue small businesses can afford to ignore and in fact it offers them many opportunities.

"The Internet gives small and medium-sized firms a way to compete competitively with firms ten times bigger than themselves, an opportunity to provide innovative products and the potential to grow quickly," Roger Tili, director of e centre UK, the industry

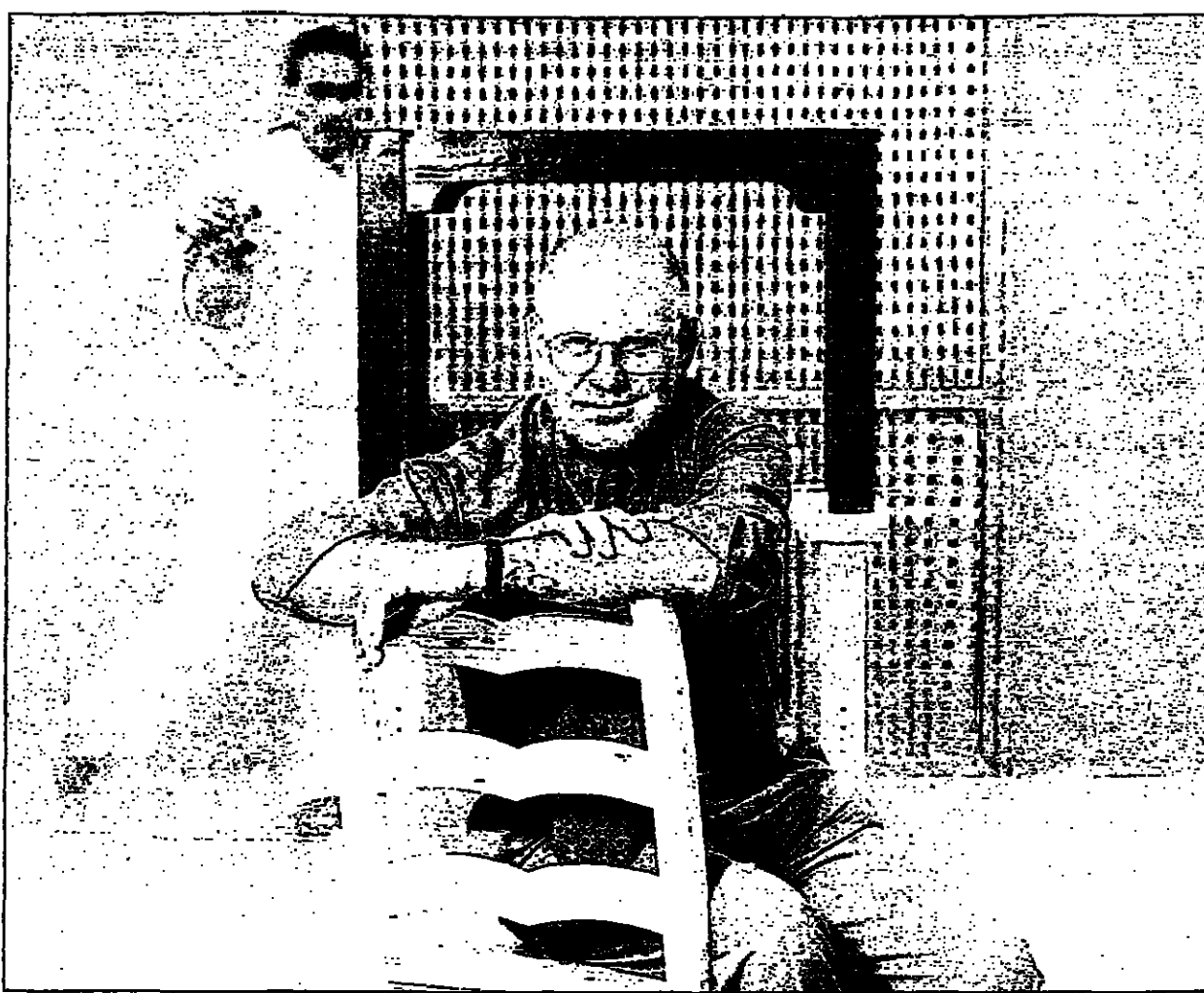
body that sets best-practice standards, said. It is also cheap to implement.

Observers point out that small firms may not have a choice on installing an electronic trading system if they wish to maintain contracts with larger firms as many may soon insist on doing all business online. The Government is to make 90 per cent of its procurement electronic by 2001.

The cost savings involved in e-trading make sense. Research to be published tomorrow by KPMG will show that UK plc is wasting £100 billion a year by not trading online. "Businesses would save 5 per cent on their purchasing costs by using electronic purchasing techniques," Peter Loughlin, a consultant at KPMG, said. The firm will be launching a new service called The Solution Centre to show medium-sized firms how to achieve these savings and implement changes.

Software companies, such as Pegasus, SAP and Sage, are also busy designing easy-to-use "off-the-shelf packages" that will offer e-commerce facilities at the click of a mouse.

KPMG: 0171-311 8756
e centre UK: 0171-655 9000
Information Society Initiative: 0345 152000 or www.isi.gov.uk
Federation of Small Businesses: 0171-233 7900



John Lewis survived the tough times of the recession by cutting overheads and maintaining a strong market presence

Redesigned for survival

Manus Costello reports on the drastic cuts at a kitchen-maker

Kitchen-maker John Lewis has two pieces of advice for businesses determined to survive a tough economic climate: maintain a strong marketing presence and slash your overheads.

His is the voice of experience. His company, John Lewis of Hungerford, which is listed on the Alternative Investment Market, made expensive kitchens for the excesses of the Eighties, but was hit badly when recession arrived in 1990.

"One day the orders just stopped coming in — it was that sudden," Mr Lewis said. "I had to cut my workforce from 85 people to 12 in just two years."

The redundancies were part of a radical cost-cutting programme designed with the help of his accountants to save

the company from going under. The seven showrooms and four factories were reduced to one shop and several concessions, the van was sold and part of the production process was outsourced.

Mr Lewis also made a fundamental change in operations by refusing to let his designers make any more expensive home visits.

"Cutting back was like pruning a plant to look for new and healthy growth," he said.

"Stopping home visits meant that we needed to put in an extra marketing effort to get customers to come to us."

To achieve this, Mr Lewis decided to change his main product, focusing on kitchens

that still looked good, but which had "the new ingredient of affordability".

The average cost of one of his kitchens came down from £25,000 to under £5,000.

The new kitchen, the "Artisan", is measured up entirely by the customer, who receives a box of cookies, a drawing board and paper to help him or her to get on with the process — the kind of marketing trick that has helped the business to grow again.

The company now employs 33 people and had a turnover of £2 million last year.

In 1997 £1 million was raised by a flotation of the company on the Alternative Investment Market. "I have

mixed feelings about the flotation," Mr Lewis said. "It raised the necessary cash to bring everything under one roof and build a new factory, but the share price is disappointing."

He added: "Like many small firms, I believe that we are undervalued." The shares are trading at 2p.

Mr Lewis says that the current slowdown is already biting, with orders coming in fits and starts and smart customers waiting for discounts in sales. However, he is confident that the firm is more resilient than in the early Nineties.

"Our overheads are now very low, with more outsourcing taking out a lot of fixed costs," he said. "We have carved a niche in the market. I think we learnt a lot from our experience last time round."

Chancellor to boost share schemes

By SUSAN EMMETT

THOUSANDS of small and medium-sized companies could benefit from proposals for a new type of employee share scheme by the Employee Share Ownership Centre (ESOC).

Measures to boost the number of companies offering all-employee share schemes are expected in the Budget as part of the Chancellor's push to promote enterprise. The idea is to encourage more employees to take a stake in their companies and to maximise the contribution of share ownership schemes to productivity.

In the Pre-Budget Report, Gordon Brown said that he wanted to double the number of companies that offer all-employee schemes. However, experts believe that this objective can be achieved only if smaller listed and unlisted companies are encouraged to set up the schemes.

For these companies, the restrictive nature of the schemes, and their complexity and cost, can be real issues. Enlisted companies face the extra problem of having to provide some form of market for the shares that are ultimately delivered.

ESOC's proposals, backed by the Institute of Directors and ProShare, the organisation that promotes the private ownership of shares, aim to mirror the US Esop scheme, in which ten million American employees participate, while building on the best of existing schemes in this country.

The main attraction to smaller, unquoted companies of the Millennium Esop, or "Millie", is the tax breaks it would offer when setting up a trust to provide a market for employee shares. As with its US counterpart, the Millie trust would retain shares on behalf of employees, which would cut the costs of running the scheme.

However, KPMG, the accountants, said business needs fewer schemes, not more.

EDITED BY

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Court of Appeal

Law Report February 23 1999

Court of Appeal

Children must be returned

Availability of alternative forum

In re C (Minors) (Abduction: Habitual residence)

Before Lord Justice Nourse, Lord Justice Auld and Lord Justice Ward
[Judgment February 12]

In the absence of clear and compelling evidence of grave risk of harm or other severe intolerance, the 1980 Hague Convention on the Civil Aspects of International Child Abduction (Cmd 828), given effect by the Child Abduction and Custody Act 1985, required a parent, wrongfully retaining her two young children in England, to return them to the jurisdiction of the court of their habitual residence.

The inevitable anxiety and uncertainty of the children's return and the splitting up of their present family unit was not sufficient to satisfy the stringent test which had to be applied to establish a grave risk of psychological harm within article 13 of the Convention.

The Court of Appeal so held in a reserved judgment allowing a father's appeal from the refusal by Mr Justice Connell in July 1998 to order the return of children to California.

Article 13 of the 1980 Convention provides: "...the judicial or administrative authority of the requested State is not bound to order the return of the child if the person ... (who) opposes its return established that ... (b) there is a grave risk that his or her return would expose the child to physical or psychological harm or otherwise place the child in an intolerable situation ... (it) may also refuse to order the return of the child if it finds that the child objects ... (having) obtained an age and degree of maturity at which it is appropriate to take account of his views."

The father in person, Mr Marcus Scott-Manderson, who did not appear below, for the mother.

LORD JUSTICE WARD said that the parents married in 1982. Their two children were born in

1988 and 1990. The Superior Court of California dissolved the marriage in 1994, giving the parents joint legal custody of the children and ordering that neither should change the residence of the children without the consent of the other or order of the court.

In 1994 the mother married the stepfather and they had a daughter born in 1997. Intense hostility existed between the father and stepfather.

In August 1997 a Californian juvenile court found allegations of serious physical harm of the children by the father to have been established. That decision was not accepted by the father and he had appealed against it.

In November 1997 the mother obtained the court's permission to visit England for Christmas, giving the home of her mother-in-law as her address. She failed to return with the children to California. The father, invoking the Hague Convention, issued an originating summons seeking their return.

The mother filed her defence asserting grave risk that the return of the children would expose them to physical or psychological harm and other intolerable situation in an intolerable position and that they objected to being returned to America.

Mr Justice Connell held that the defence alleging physical harm was not made out. Having referred to the court by the father's report, the judge said that he bore in mind that if the children were returned the stepfather could not because he had been refused re-entry.

He also said that the father had given an undertaking, the reliability of which he doubted, not to seek to promote a prosecution of the mother in California for kidnapping.

The judge concluded that the welfare of the children and his opinion on the risk of psychological harm were well founded. It would, he said, be intolerable for these children to be faced by a situation

in which they were in a jurisdiction where they did not wish to be, being looked after by a mother who was subject to [such] stresses and strains."

The mother, he held, had brought herself within article 13(b) and it would not be appropriate for him to order the children's return to California.

In re H (Minors) (Abduction: Acquiescence) [1998] AC 72, 81 Lord Browne-Wilkinson said that "the object of the Convention is to protect children from the harmful effects of their wrongful removal from the country of their habitual residence and to ensure that they are not retained in a country other than that of their habitual residence. This is to be achieved by establishing a procedure to ensure the prompt return of the child to the state of his habitual residence."

There was an established line of authority that the court should require clear and compelling evidence of the grave risk of harm or other intolerable situation which had to be measured as substantial, not trivial, and of a severity which was much more than what is inherent in the inevitable disruption, uncertainty and anxiety which followed an unwelcome return to the jurisdiction of the court of habitual residence: see *In re A (A Minor) (Abduction)* [1988] 1 FLR 369; *C v C (Abduction: Rights of Custody)* [1989] 1 WLR 654 and *B v B (Abduction: Custody Rights)* [1993] Fam 32.

The judge had not expressly directed himself to the stringent test that he should apply. The particular factors which weighed heavily with him were the effect of splitting the family and the uncertainties of the mother's prosecution in the light of the unsatisfactory undertaking given by the father.

The uncertainty of the mother's position had now been compounded by having temporarily separated from her husband. She had no connection with England other

than those obtained through her husband.

But it was for the Californian court to assess the implication of the uncertainties. By their own actions the mother and stepfather had created the adverse condition on which they now sought to rely.

In re H (Minors) (Abduction: Acquiescence) [1998] 1 FLR 369, 142 Lord Justice Balcombe said that the purpose of the Convention was to ensure that "parties do not gain adventurous advantage by ... having taken the child ... to another jurisdiction, then wrongfully to retain that child". The father served in not bearing that in mind.

The approach of the court to the views of young children was stated by Lord Justice Balcombe in *In re S (Minor) (Abduction: Custody Rights)* [1994] Fam 242, 252. Here the welfare officer said of the children: "They are, of course, very much influenced by their mother, who has been their primary carer since birth, and their stepfather."

That made the children's objections unreliable and incapable of sustaining an article 13(b) defence. No limb of the article 13 defence was established by the mother.

It was doubtful whether it was appropriate for the court to speculate, as the judge had done, as to whether or not it was in the children's best interests to require them to return. To do so was to usurp the function of the Californian court.

It was also to be noted that the children had been away for over a year. Delays in the legal process had not served them well. That was most regrettable.

The duty of the court was to implement the Convention trusting in its underlying thesis that the welfare of these children would be best served by the Californian court now dealing with their future. An order for their return to California should be made.

LORD JUSTICE NOURSE and LORD JUSTICE AULD agreed.

Solicitors: Dawson Cornwell & Co.

Askins and Others v Absa Bank Ltd and Others

Before Lord Justice Peter Gibson, Lord Justice Robert Walker and Lord Justice Tuckey
[Judgment January 29]

On an application to stay proceedings on the grounds of forum non conveniens where the onus of proof was in issue such that it was contended that the defendant had not shown there was an appropriate or other available tribunal in which to try the issues or if he had, that the plaintiff could not then show why justice required trial in the jurisdiction where the proceedings were issued, it was arguable whether the alternative court had to be available to the plaintiff in practical terms.

The Court of Appeal so stated when dismissing the appeal of Mr Julian Askins, Amey Ltd and Coram Investments Inc against a decision of Mr Justice Buckley on June 13, 1997 staying proceedings against Absa Bank Ltd, Bankorp Ltd, Gerbie Strydom, Mr Jacobus Mouton, Dr Daniel Cronje and Mr Petrus Badenhorst, on the ground of forum non conveniens.

The plaintiffs had instituted claims against the defendants for fraud, misrepresentation and conspiracy relating to business dealings in South Africa.

Abas applied to stay proceedings in the United Kingdom arguing that South Africa was the appropriate forum.

Mr Askins appealed on the basis (i) that he could not bring proceedings in South Africa because there was outstanding in South Africa a warrant for his arrest on criminal charges; South African law did not allow a person outside the country who was avoiding proposed criminal charges within South Africa to institute civil proceedings there; and (ii) that he would not return to South Africa because he considered himself in personal danger.

Mr David Rallison, QC, for Mr Askins, Mr Trevor Phillips, QC, and Mr Craig Orr for the bank.

LORD JUSTICE TUCKEY said that in the light of twenty volumes of evidence reduced to seven on appeal and following what Lord Templeman said in *Spiliada Maritime Corporation v Cansule Ltd* [1987] AC 460, 468 on such applications, evidence should be focused on the essential points and the submissions should be measured in hours and not days.

As was accepted in argument, the court was concerned with the big picture not a multitude of issues of detail. The *Guide to Commercial Court Practice* (4th edition) [The Supreme Court Practice 1999] paragraphs 72(A)-30 set four hours as the maximum time for the hearing of such an application. Practitioners should bear that in mind whether or not the summons was in the Commercial Court.

The judge had applied the two-stage test laid down by Lord Goff in *Spiliada* (at p474-478). His finding on applying the first stage, that

the case was clearly centred in one jurisdiction, South Africa, was not challenged on appeal. However, in defining the first part of the test Lord Goff had referred to "some other available forum".

The plaintiffs contended that South Africa was not an available forum to them because Mr Askins would not go there as he would be arrested and imprisoned and he feared for his personal safety.

The judge accepted that "available" meant "available in practice", but held that the South African courts were available to Mr Askins because the fact that in order to avoid a fair trial of the criminal charges he chose to stay in England and not avail himself of them, could not alter that.

It was common ground that the South African courts had jurisdiction to hear the plaintiffs' civil claims. The plaintiffs challenged the judge's decision on availability.

The defendants contended, if necessary, that "available" did not mean "available in practice". It only meant that the courts of the other forum had competent jurisdiction to try the dispute.

The judge dealt with the second stage of the *Spiliada* test under the question: did justice nevertheless require trial in England? In answering that question he noted that it was his duty to consider all the circumstances of the case. He was clearly of the view that justice did not require trial in England.

On the point about "availability", Lordship noted that in *Mohamed v Bank of Kuwait* [1994] 1 WLR 1483, the Court of Appeal said that the judge's definition that "available" meant "available in practice" to the plaintiff to have his dispute resolved.

While the decision in *Mohamed* could be explained on it special facts what Lord Justice Evans said about "available" was criticised by commentators.

The essence of the criticism was that the court had elided the two stages of the test in *Spiliada* which was clearly spelt out by Lord Goff and was simple to apply.

It was submitted that Lord Goff could not have intended "available" to mean available in practice since his statement of the principle that a defendant was entitled to apply to stay proceedings on the basis that there was a more appropriate forum was derived from the Scottish case of *Sin v Robinson* [1992] 19 R 665.

Lord Justice Evans referred simply to the fact that a plea could never be sustained unless the court was satisfied there was some other tribunal having competent jurisdiction.

At the first stage of the test, the court was only concerned with the question: did justice nevertheless require trial in England? In answering that question he noted that it was his duty to consider all the circumstances of the case. He was clearly of the view that justice did not require trial in England.

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by the Registrar of Criminal Appeals, for the appellant Mr Christopher Stables, for the prosecution.

LORD JUSTICE ROSE, giving the judgment of the court, said that the appellant was the main organiser in a conspiracy involving four importations into the United Kingdom from South Africa by air in 1992 of herbal cannabis bought in Swaziland. The appellant took the lion's share of profit from the enterprise.

Whatever the weight of drug involved, the starting point for sentencing should rise according to roles played, careful planning of importations and all other factors involved such as the brains, organisation and finance as provided here by the appellant. In those circumstances, 12 years was not excessive and the appeal was dismissed.

His Lordship offered further observations which might also be of assistance to the commission:

1 An alteration in the statutory maximum or minimum penalty between sentence and reference to the court could not give rise to a legitimate grievance for example, a person sentenced to eight years for theft when the maximum penalty was 10 years could not complain

when Parliament subsequently reduced the maximum penalty to seven years.

2 The level of sentencing, both generally and in relation to a particular offence, did rise and fall over a period of years in response to changes in public opinion.

The philosophy of limiting the use of imprisonment, which was behind the Criminal Justice Act 1991, was replaced five years later by the assertion: "Prison works".

3 There were other factors which from time to time affected sentencing levels, for example, prison overcrowding. *R v Ollennshaw* (The Times May 6, 1998; [1999] Cr App R (S) 65) and *R v Howells* [1999] 1 WLR 307, where short periods of imprisonment were urged, could not be the basis for complaint by those who unsuccessfully appealed against their sentence some time previously.

4 Sentencing decisions of the Court of Appeal did not have retrospective effect and only reflected the current tariff. The judgment in *R v Rotherham* [1998] 2 Cr App R (S) 100, which provided guidelines, not a strict-jacket.

Sentencing was an art not a science.

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Duty of solicitors retained by lenders

Mercantile Credit Co Ltd and Another v Fenwick and Others

Same v Speechly Bircham
Before Lord Justice Kennedy, Lord Justice Chadwick and Lord Justice Laws
[Judgment February 12]

A solicitor retained by a bank to execute a legal charge over property jointly owned by a husband and wife to secure a debt incurred solely by the husband or a company he controlled, was under an obligation to conduct the transaction applying the usual current conveyancing procedures and the appropriate standard of skill and care.

There was no obligation to obtain the retained solicitor written confirmation signed by the borrower's solicitor that that solicitor

acted for both husband and wife or if not, that the wife had been advised to take separate independent advice.

If the lender required its solicitors to take special and particular steps, including the requiring of such written confirmation, those steps had to be set out in clear terms.

The Court of Appeal so held, dismissing an appeal by the plaintiff banks, Mercantile Credit Co Ltd and Barclays Mercantile Business Finance Ltd from the dismissal by Mr Justice Carnwath on July 23, 1997 of their action against the defendant firm of solicitors, Speechly Bircham, alleging breach of retainer and negligence.

There was no appeal against Mr Justice Carnwath's judgment in the consolidated action in which a

possession order was made in respect of 4 Woodchurch Drive, Bromley, against the first and second defendants, Mr Terence William Fenwick and Mrs Amanda Fenwick.

Mr John Jarvis, QC and Mr Peter Cranfield for the banks Mr Ian Hughes, QC and Mr Beverly Ann Rogers for the solicitors.

LORD JUSTICE CHADWICK said that Mercantile Credit had prepared notes for solicitors to structure deals with security work which, in relation to guarantees, required guarantors who were individuals to be asked to obtain independent legal advice. In the present case the guarantor was the wife.

The notes were prepared in the context of decisions in the House of Lords and Court of Appeal in rela-

tion to the position of wives who charged a property of which they were the joint owners to secure a debt of the husband or a company he controlled.

The notes did not impose on the solicitors any obligation to obtain written confirmation signed by the borrower's solicitor that he was advising both husband and wife or had advised the wife to obtain separate advice.

The obligation on the lender's solicitor was to satisfy himself by whatever means seemed to him appropriate in the circumstances that the guarantor had obtained advice either from the borrower's solicitor or an independent solicitor.

LORD JUSTICE KENNEDY and LORD JUSTICE LAWS agreed.

Solicitors: Shoemiths & Harrison, Northampton; Ince & Co.

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Commercial Property

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Commercial Property

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Commercial Property

KENT
Superb vacancy at leading firm for senior Commercial Property lawyer (1-3 yrs exp) to handle wide range of commercial and PFI projects. Commercial property or commercial experience needed at major regional City firm. Superb prospects.



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To apply for this position write, with your full CV, to Lizette Orange or Debbie Offenbach at ZMB Industry, 37 Sun Street, London EC2M 2PL. Confidential fax 0171 523 3823. Alternatively call 0171 523 1250 (0181 740 4108 evenings/weekends). E-mail: lizette.orange@zmbgroup.com. This assignment is being handled exclusively by ZMB Industry. All direct third party applications will be forwarded to them. Closing date is Monday 8th March 1999.



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Michael Chambers

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Details of the competences required for the Level C posts are contained in the application pack. Generally, applicants will need excellent advocacy and organisational skills, together with the ability to work effectively within a team. Sound judgement and the capacity to work under pressure are essential.

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For further information and an application form please telephone Rebecca Phillips on 01483 882631 or Donna Flarry on 01483 882636.

Completed applications must be received by 8th March 1999. Interviews will take place during April '99.

The Crown Prosecution Service is an Equal Opportunities Employer and positively encourages applications from suitably qualified/eligible people regardless of sex, race and disability.



Crown Prosecution Service - Working in the interests of justice

Headlines

Legal

THE CROWN PROSECUTION SERVICE is the Government Department responsible for the prosecution of criminal cases in Magistrates' and Crown Courts in England and Wales. We are seeking to recruit lawyers to fill a number of Crown Prosecutor vacancies in branches in Sussex, Kent and Hampshire on a permanent basis. Candidates who are approved by the selection panel but not appointed to a current vacancy will be placed on a waiting list and may be offered future appointments on a permanent or temporary basis as additional vacancies arise. Both full and part-time posts are available and a flexible working hours scheme is in position. As a Crown Prosecutor you will review and, where appropriate, prosecute criminal cases. You will also advise the police on matters relating to criminal cases. In each case you review, you will consider whether there is sufficient evidence and, if there is, whether the public interest requires a prosecution. Details of the competences required for the Level C posts are contained in the application pack. Generally, applicants will need excellent advocacy and organisational skills, together with the ability to work effectively within a team. Sound judgement and the capacity to work under pressure are essential. Applicants will require at least 2 years post qualification experience in criminal law to be considered for Level C2 posts. This together with the individual's knowledge and skill levels will determine whether they are considered for appointment to Level C1 or C2. For further information and an application form please telephone Rebecca Phillips on 01483 882631 or Donna Flarry on 01483 882636. Completed applications must be received by 8th March 1999. Interviews will take place during April '99. The Crown Prosecution Service is an Equal Opportunities Employer and positively encourages applications from suitably qualified/eligible people regardless of sex, race and disability.

QUEEN'S COUNSEL

LAW

Dividing the assets: pensions split at divorce

A new Bill will allow ex-wives a stake in a pension, says Hilary Siddle

Clare Thomas thought she had a splendid comfortable marriage. She and her husband, Andrew, who had a good job, had brought up three children. They lived in a beautiful house and, now that the children had left, they could afford to relax. She looked forward to a long and happy retirement, thanks to Andrew's generous pension scheme.

That prospect suddenly changed in 1994 after the couple returned from a Caribbean cruise to celebrate their 30th wedding anniversary. Andrew announced that he had been having an affair with a younger woman and wanted a divorce. This announcement would have profound financial implications for Clare, apart from the shock and trauma, not least because she would have no right to any of Andrew's pension.

A pension can be the largest asset owned by a couple, sometimes worth more than the family home. Without a share of it, Clare would be left with an uncertain future. She might get a share of the family home, but she might have to sell it to provide some form of income into her old age.

This is the problem that the Government is seeking to address in its Welfare Reform and Pensions Bill, which today reaches its second reading in the Commons. Once implemented, the Bill will introduce a system of pension-sharing (also known as pension-splitting) in England and Wales.

The Law Society and family lawyers are united in applauding this move. It is not a panacea for all ills, but it will give some divorcing couples a useful extra remedy to help to sort out their finances on divorce. The scheme is welcome because it will be flexible and allow people to deal with their pensions at the time of their divorce. It will give people greater certainty about what they will receive and when.

The Law Society has been all for pension-sharing since 1991 because, in the past, people such as Clare — middle-aged, with wealthy partners and little earning capacity themselves — have lost out. Why? Because courts have had limited powers in dealing with pension rights. In particu-



A pension can be the largest asset owned by a couple; sometimes it may be worth more than the family home

lar, courts have been able only to look at assets which would accrue in the "foreseeable future", five or, at most, ten years after the divorce.

Any pension, no matter how large, could not be taken into account by the court if it was due to come into effect more than ten years after the divorce. Gradually, the climate has been changing. The Pensions Act 1995 introduced the remedy of "earmarking". This gave courts the power to earmark a pension when a couple got divorced, so that the pension could be split when the money-earner reached retirement. But earmarking has proved a flawed and little-used remedy. It does not give couples a clean break when they divorce and the dependent

partner, usually the wife, often has no certainty of how much of the pension she is going to get and when she will get it. In addition, any payments she can expect to receive will cease if her former husband predeceases her.

The Government has adopted a flexible approach to implementing pension-sharing. Earmarking and offsetting pensions against other assets will still be available. Also, where pension-sharing is used, courts can decide to divide a pension in the fairest way possible — a 50-50 split will not be automatic.

There are, however, issues that need to be carefully tackled. It is crucial that people know when pension-sharing is to be introduced and what

they should do to take advantage of it. The Government has a tough job to ensure that the public gets the message ahead of pension-sharing becoming available. It is also vital that no one treats pension-sharing as a panacea. It will not solve all the problems of post-divorce poverty frequently endured by women and children. There are increasing numbers of people, such as those employed part-time or on a temporary contract basis, who are earning no pension at all. And if you don't have a pension you can't share it.

The author is chairman of the Law Society's Family Law Committee and practising family lawyer at Holden & Wilson in Lancaster.

Headlines save Lord Irvine

PRSS COVERAGE of the Stephen Lawrence inquiry report has been a blessing for the Lord Chancellor. There was almost no reporting of his fresh feat in the Lords, this is on the Criminal Justice Bill. Service, during the debate on the Access to Justice Bill, Lord Irvine of Lairg has pledged that the Government will reverse this defeat — and also that it will remove a new clause voted into the Bill which introduces new overriding aims into the Bill and protects access to justice. He has dismissed the clause as "gimmick", to the fury of the Law Society, Bar and consumer groups who back it.

Also overshadowed were calls by Lord Lester of Farnham for the Lord Chancellor to give up his role as head of the judiciary and allow lords to give up their voting rights in the Upper House. He quoted another lord, Lord Steyn, who believes there are positive disadvantages in the Lord Chancellor's being both a Cabinet member and head of the judiciary.

Legal DIARY

Male chauvinism is alive and kicking at the Bar. A set of chambers has pinned a note to a notice board in Gray's Inn advertising a vacancy "suitable for a barrister". This was too much for one passer-by, who angrily replaced "his" with "her".

The Law Society's proposed National Law Day, heralded as a profile-raiser for the profession and a chance to highlight its work in the community, has been cancelled. The official reason: too much else is going on in the profession. But, unofficially, there has been a total lack of interest from local law societies.

Johnny Depp, the American movie star, was recently reported to have bought a bottle of wine for £11,000 at London's Mirabelle restaurant. This Wednesday Gray's Inn opens its wine cellar for a tasting evening for members of the Inn. Julian Jeffs, QC, the Master of the Cellar,

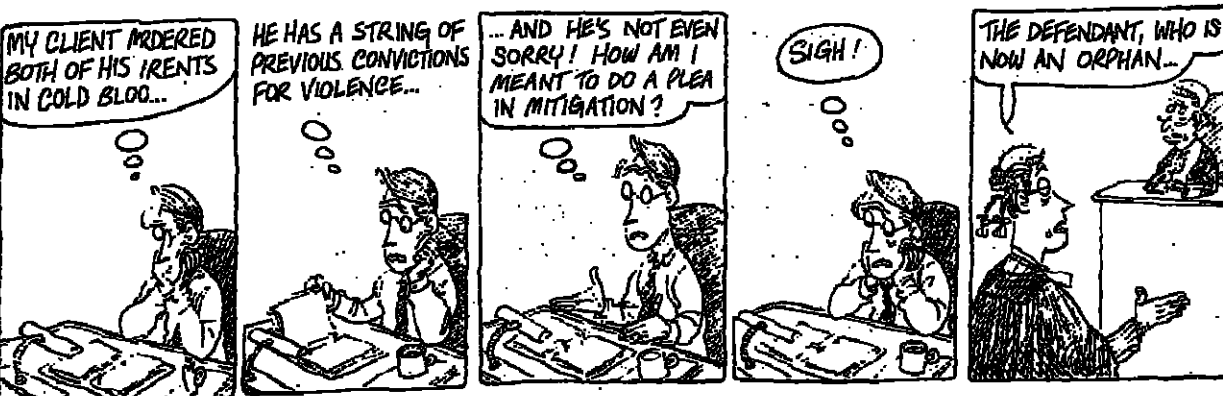
will offer "generous tastings" of ten classic wine varieties. Mr Jeffs cannot promise anything of the quality enjoyed by Mr Depp, but he assures would-be wine-sippers that the bottles would live up to any dinner party.

One of the few monopolies was scrapped last week. Lord Irvine of Lairg ended the scrivener's exclusive hold on notarial work in the City and opened a potentially lucrative source of work for solicitor notaries. There are 1,000 notaries in England and Wales, including 950 solicitors, who chiefly authenticate documents for use abroad. Under an Act of George III, only 29 notaries who are members of the Scriveners' Company have had exclusive rights to provide legal services for Central London's 38 square miles.

The first retrospective of one of Britain's greatest photographers, Terence Donovan, is being sponsored by Denton Hall, the City law firm. The exhibition at the Museum of London from March 1 to August 1 features 120 photographs taken between 1959 and 1996.

QUEEN'S COUNSEL

Steuart & Francis



Sorry, but no EU bonus for paperboys and girls

Roger Clarke, chief executive of the National Federation of Retail Newsagents, has expressed concern that paperboys and girls may be entitled to four weeks paid holiday a year under the European Union Working Time Directive. He said that this would lead to thousands of job losses and the end of home deliveries. As Shakespeare's Earl of Northumberland observed (*Henry IV, Part 2*): "The first bringer of unwelcome news hath but a losing office." Mr Clarke's concerns led to an accusation from John Redwood, the Conservative Trade and Industry spokesman, that the Government was responsible for "an unholy mess". Stephen Byers, the Trade and Industry Secretary, was reported to be "deeply unhappy" about the problem, but announced that "the working time rules do not apply to those of school age".

Many of the problems posed by the Working Time Directive display the classic ingredients of disputes about European Union law. The legal instrument uses language both complex and vague. The policy objectives are confused. And a definitive answer to many of the questions will be provided, only after much delay and expense, by the European Court of Justice speaking in delphic terms. Though the Working Time Directive raises many such difficulties, the status of paperboys and girls is not one of them. The Government's analysis is correct: paperboys and girls under the age of 16 cannot claim paid holidays.

The directive, adopted in November 1993, introduced a measure of harmonisation of working conditions in order to promote health and safety. The directive requires that workers be given a minimum daily rest period of 11 consecutive hours, a minimum uninterrupted rest period of 24 hours each week, a maximum working week of 48 hours, four weeks' paid annual leave and other entitlements. Various occupations are excluded from some, but not all, of these benefits.

The last Conservative Government considered that the directive was unlawful, and sued the Council of the European Union in the European Court of Justice. The claim was dismissed in November 1996. The new Government then consulted interested parties, before introducing the Working Time Regulations 1998, to implement the directive with effect from October 1, 1998.

The 1998 regulations have no application to paperboys and girls. The regulations confer distinct entitlements on adult workers (those over the age of 16) and on young work-

ers, defined to cover those who have attained the age of 15 (but are under 18) and who are over compulsory school age. The regulations cannot have been intended to confer rights on children aged 15 and under, who are not mentioned in the text.

To the extent that there is any ambiguity about the 1998 regulations, they have to be interpreted consistently with the Working Time Directive, which they seek to implement. The directive was not intended to confer a right to paid holidays for employed children. Article 14 states that the provisions of the directive do not apply "where other Community instruments contain more specific requirements". There is another directive, adopted in 1994, specifically protecting young people at work. The 1994 Directive on the Protection of Young People at Work states that special measures are needed with regard to the health and safety of children. Article 4 prohibits work by children, subject to specific exceptions, such as performance in cultural and advertising activities, training schemes, and "light work" by those over the age of 14 (national law may lower this age to 13). It is for each member state to "determine the working conditions" relating to light work, subject to maximum working periods, such as two hours "light work" on any school day.

Article 11 regulates annual holidays for children in light work. Members states must ensure that "a period free of any work is included, as far as possible, in the school holidays of children subject to compulsory full-time schooling". These requirements have been implemented by the Children (Protection at Work) Regulations 1998. Those regulations require each child to have at least two consecutive weeks without employment during school holidays. Since EU law specifically addresses the working conditions of children by the 1994 Directive on the Protection of Young People at Work, which confers no right to paid holidays, and leaves it to member states to regulate the conditions of light work, the more general Working Time Directive cannot have been intended to impose conflicting standards.

So EU law will not affect the valuable service by paperboys and girls. But there are many more complex problems of interpretation and application posed by the Working Time Directive and regulations that employment lawyers will have difficulty fitting into their "maximum weekly working time". The author is a practising barrister and a Fellow of All Souls College, Oxford.



David Pannick QC



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WEST OF LONDON

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THE TIMES/JUSTICE AWARDS 1999



Leading the fight for justice

This year sees the countdown to one of the most revolutionary pieces of legislation to hit the statute books. At some point next year, the Human Rights Act will be enacted. But the Act — which affects decisions of every public authority, every court and, above all, every citizen — is already starting to bite.

Human rights have been at the heart of legal moves to extradite General Pinochet, as well as running through the inquiry into the death of Stephen Lawrence (which was leaked at the weekend). Geoff Hoon, Minister of State at the Lord Chancellor's Department, last week told public authorities that they should be taking account of human rights.

Even now, he said, they should be making sure that their decisions do not breach the human rights which the Act makes a part of domestic law. If they do not, they could find themselves challenged in the courts when the Act takes effect, even over decisions currently being taken.

The Act is starting to prompt an explosion of work for the judges, courts and lawyers — as well as public officials. The Act will be cited in cases in magistrates' courts and right up to the Court of Appeal.

This year's Times/Justice awards seek to recognise the work lawyers are doing — individually or as part of an organisation such as a pressure

The legal struggle for human rights will be at the centre of our awards this year. Frances Gibb looks at some of the candidates

group, a set of chambers, a law firm or charity. There will be three awards: Lawyer of the Year (under 35) and one for the group or organisation that has done most to promote access to justice, particularly in areas affecting fundamental human rights. There are many contenders. First, the names who

have hit the headlines: the Lawrence team: Michael Mansfield, QC, and Imran Khan, the Lawrence family solicitor, and other radical lawyers such as Raju Bhatt and Girish Thakur. In the Pinochet case, Peter Duffy, QC, who has already built a reputation in human rights, acted for Amnesty International.

A third, quite different battle was fought by Sarah Harman, the solicitor who obtained compensation for hundreds of women whose cervical smear tests were wrongly diagnosed at Kent and Canterbury Hospital. Also, ground-breaking have been a series of cases taken to the European Court of Human Rights. Ben Emmerson, barrister and leading expert on human rights law — with Nuala Mole, the director of the Aire Centre — secured a test ruling from Strasbourg, which established that the police were not immune from negligence actions.

Phil Leach, legal director at Liberty, the human rights group, has spearheaded a

number of test actions, including one to the House of Lords on freedom of assembly, after a couple were arrested for demonstrating at the roadside.

There are many others: Benedict Birnberg has been at the forefront of the campaign for a Community Legal Service, which this year should come to fruition when the Government publishes its proposals.

Candidates for the group award, to go to the organisation which has done most this year to widen access to justice, include the Environmental Law Foundation, which has helped many community groups fight eco issues, and Inquest, which campaigns for reforms of the coroner's inquest system.

The judges will look for one or more of the following: a contribution to human rights; a contribution to a better and fairer administration of justice; persistent and diligent work on an important case which came to fruition in 1998-99; and work over and above professional commitments.

Nominations (see coupon) should state in up to 200 words why the work of the person or group is important and must be received by March 30. The award winners will be chosen by a panel including Lord Woolf, Master of the Rolls, Robert Ayling, chief executive of British Airways, Tony Holland, chairman of Justice's executive board, and Anne Owens, Justice's director.

The leak, the judge and free speech

Press gags run against Labour policy, says Gordon Nardell

Another leak has led to another "pyjama" injunction, an order usually made outside court hours because a judge is persuaded that the leak would do untold harm to the applicant's vital interests. Mr Justice Rix has followed tradition in illustrating the difficulty English courts have in finding a satisfactory place for freedom of expression, and especially journalistic freedom, in the principles governing the way judges should react to requests for prior restraint of publication.

When the Human Rights Act 1998 comes into force, probably in October 2000, the courts will have to apply Article 10 of the European Convention on Human Rights directly. That provision guarantees the right to freedom of expression.

In too many cases, the European Court of Human Rights has taken English judges to task for being too ready to subordinate free expression to political and commercial interests favouring restraint. A recent example is the court's 1996 judgment condemning the threat to jail the journalist Bill Goodwin for refusing to disclose the source of leaked information.

The fact that Mr Goodwin had to take his case to Strasbourg indicates the deep-seated nature of the problem. The legislation under which the English courts ordered disclosure, Section 10 of the 1981 Contempt of Court Act, had itself been introduced to bring UK law into line with

an earlier Strasbourg ruling on Article 10. There are some indications of a thaw in judicial attitudes towards freedom of expression in advance of the Human Rights Act's commencement.

But the thaw is at best patchy. In 1997, a year after the European Court's Goodwin judgment and in circumstances almost identical to that case, the lottery operator Camelot persuaded the High Court to put journalistic freedom to one side and grant an order, again under the 1981 Act, for disclosure of a source.

Section 12 of the Human Rights Act addresses this problem. It imposes strict limitations on the circumstances in which the courts can grant injunctions before a full trial in cases where freedom of expression is at issue, and requires the court to have "particular regard" to the importance of that freedom. That, given the unimpressive track record of our courts, is to be welcomed.

Who says so? Jack Straw, the Home Secretary, announcing his intention to introduce S12 into the Human Rights Bill, pointed to Goodwin and other Strasbourg cases and said the provision would "send a powerful signal to UK courts that they should be at least as circumspect as judgments of the European Court of Human Rights have been" about attempts to subordinate Article 10 rights to other interests.

● The author is a barrister practising in human rights law.

THE TIMES/JUSTICE AWARDS 1999

The awards are open to lawyers, non-lawyers, organisations and individuals. Self-nomination is not permitted. Nominations are to be made by returning the completed coupon to Justice by Monday March 30 1999, attaching a summary of the nominee's work, plus your statement of no more than 200 words on why you think the work has been important.

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TRIATHLON

Lessing aiming to extend his London reign

By DAVID POWELL

SIMON LESSING, the world champion, is planning to attempt a third successive London Triathlon victory this year as the event moves closer towards its target of becoming the world's largest race.

September is set to be a challenging month for Lessing as, a fortnight before London, he is due to defend his world title in Munich.

Should Lessing be deposed as world champion, though few would bet on it, the London organisers would hope to give him a chance for immediate revenge. "We will be attempting to maintain the quality of the London field by going to Munich to invite the world champions as they are crowned, if they are not among our entries already," Michael Smithwick, the London event manager, said.

Maintaining his position as world No 1 in 1999 will be an important psychological exercise for Lessing in the run-up to Olympic year, when the triathlon features for the first time. Furthermore, the swim-ride-run sport is the opening event on the programme in Sydney and Great Britain, after managing only one gold medal from all sports in Atlanta three years ago, will be looking to Lessing to give the nation a flying start.

Lessing is spending two months in South Africa training with the British squad before beginning his season in Dubai on March 18. "Though we have not signed a contract, London is on Simon's schedule," Stefanie Scheer, Lessing's manager, said.

The London Triathlon succeeds with the same elite and sport-for-all combination as the London Marathon. More people want to take part than can be accommodated and, even though a record number will be accepted for the race on

THE LONDON TRIATHLON

September 19, more than ever are likely to be turned away. "We had about 7,000 applications last year and took 3,000, of which 2,400 started," Smithwick said. "Because we have more time and space this year, we will accept 4,000, but we think the number of applications might be as many as 10,000. That should make us the second-biggest triathlon in the world after only three years."

The largest is the Mrs T's Triathlon in Chicago, which caters for some 5,000 competitors. "From the beginning, we set ourselves the tough target of trying to become the biggest

and we are on course for that," Smithwick said. "We are the biggest in Europe and second only to Chicago."

The first London Triathlon was held from West India Dock, but was forced to make a late change to Royal Victoria Dock, from where the event this year is to be held. "There was concern among the local and dock authorities about high-profile events encouraging local children to swim in the docks, which is dangerous," Smithwick said.

"However, under a different owner, and as part of the agreement, we undertook a programme of activities aimed at local children and encouraging them not to take the risk of swimming in the docks. We went to Victoria Dock at the last minute last year but now, because we have more time and space, we can expand our numbers."

"The field last year was the best assembled anywhere in the world, apart from in the World Cup and world championship races, and we hope to match that this year."

While the elite athletes, and 70 per cent of London's participants, compete over the Olympic distance of 1,500 metres swim, 40 kilometres ride and 10 kilometres run, there are two other options. Twenty per cent take part in the relay (three athletes per team, one for each discipline) and ten per cent in the sprint race, which is approximately half the Olympic length.

Race fees are £45 for both the Olympic and sprint events and £150 for the corporate relay competition. For an entry form, telephone 0171 928 5055.

WEBSITE: www.triathlon.org

LINKS

Lessing: important year

Lessing: important year

Lessing: important year

Els makes it look so easy

South African strikes his best form at right time, reports Mel Webb

IT WOULD be easy for the wary to underestimate Ernie Els. The rangy and amiable South African's public face is that of a man who exists in a comfort zone of his own, leading his life without the stresses and pressures that are so often the lot of the man who is blessed, or cursed, by an ultra-competitive nature. It would be easy; and it would be so, so wrong.

Take the four days leading up to Sunday, for example. At regular intervals during daylight in the 96 hours, Els loped round the Riviera course and its environs and told everybody who was prepared to listen that Tiger Woods and David Duval were the best players in the world. Els was at the Riviera to play in the PGA Nissan Open, and so were the other two. So what did he do to his two heroes? He beat them. Of course, he did.

Els, 29, has the priceless gift of making victory seem like a gentle stroll in the countryside. Nothing seems too hurried, nothing too testing, nothing too dramatic. He is one of the few men in world golf who is capable of reducing a golf course to rubble while looking for all the world as if he is playing a friendly game with a pal for a golf ball and a gin and tonic. It must be infuriating to play alongside him, especially if you are in contention yourself and your foot is having to jam the accelerator flat to the floor just to keep up.

Els was in one of his moods on Sunday as he produced his second 68 in as many days to win with a total of 270, 14 under par, and could even afford a bogey on the last hole to beat Ted Tryba, the overnight leader, and Woods by two strokes. Els will go into the Andersen Consulting Match Play, the inaugural World Golf Championship event that starts at Carlsbad, California, tomorrow, with a handsome victory as his most recent memory.

Els is the formidable match-play golfer he is because he never appears to be unduly exercised by the format. He is a gentle individual by nature and inclination, but the opponent who takes his laid-back mien for a lack of competitive spark will find out soon enough that he has made a serious error.

This latest victory, his seventh on the US PGA Tour, was achieved even though he lost a little of his momentum as he approached the line. He bogeyed two of the last three holes and missed a 5ft putt for par on the last to give Tryba and Wood the faintest glim-



Els holds the championship trophy after winning the Nissan Open in Los Angeles

mering of hope. With Els in the clubhouse, Tryba and Woods needed birdies on the last to force a play-off — and could not get them.

They both hit the fairway but made an almighty mess of their second strokes. Tryba landing in deep greenside rough to the left and Woods pushing his ball into a concession tent. When Woods chipped 20ft short and Tryba's ball stopped 10ft shy of the hole, the tournament was won and lost.

"When you are competing against players of this calibre, it is very satisfying to come out

on top," Els said. "This will go down as one of my good ones. I have given Tiger a chance or two in the past and he has taken advantage — at least I kind of did the job today."

It was Els's first victory in the US since he won at Bay Hill, in Orlando, last year, and with the victory he maintained a sequence that only Phil Mickelson can match by winning at least one US tour title in six consecutive years. He also passed \$5 million (about £3.1 million) in US prize-money — and hardly once has he so much as broken sweat.

When you are competing against players of this calibre, it is very satisfying to come out

ROWING

British lift five titles in Boston party

By MIKE ROSEWELL
ROWING CORRESPONDENT

GREAT BRITAIN won five titles in the world indoor championships in Boston, Massachusetts, on Sunday. Cath Bishop, from Marlow, a 1998 world silver medal-winner in the coxed pairs, took her first world indoor title in the women's open event. She was the fastest qualifier and won the 2,000 metres final in 6min 37sec, four seconds ahead of Sarah Laitinen, of Denmark.

Frances Houghton, from Wheatley, Oxford, still only 18 but with three junior Great Britain vests, took the women's junior title. Her time of 6:46 left her nearly ten seconds ahead of the field.

Older Britons also played their part. Noel Frost, 60, from Wallingford, took 7.9sec off the world record on his way to the men's 60-69 title, recording 6:31. Harry Welsh, 72, from Canterbury, won gold in the 70-79 lightweight category with 8:07.

In the women's 40-49 class, Sarah Springman, the three-time European and 11-time British triathlon champion, beat the present champion, Su Larcombe, from Yeovil, in 7:00, the only event in which Britain took gold and silver.

Britain's leading male rowers were not in Boston. Greg Searle, the top sculler and indoor champion, is nursing a back injury while the world champions, Steve Redgrave, Matthew Pinsent, James Cracknell and seven other Leander internationals have a Comic Relief appointment tomorrow at the Rowing Museum in Henley.

The Leander team will attempt to beat the 100,000 metres world ergometer record, starting at 9.15am and rowing in 500-metre shifts, they will tackle the existing 5hr 3min 14sec record held by Nottingham University. Their target time is 4hr 50min. More than 1,000 rowing and fitness clubs are taking part in the Red Nose Row efforts for Comic Relief.

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01 Mika Hakkinen	07 Eddie Irvine	12 Ralf Schumacher	18 Jarno Trulli		
02 Michael Schumacher	08 Olivier Panis	13 H-H Frentzen	19 Rubens Barrichello		
03 Damon Hill	09 Giancarlo Fisichella	14 Alexander Wurz	20 Pedro Diniz		
04 David Coulthard	10 Jean Alesi	15 Mika Salo	21 Pedro de la Rosa		
05 Alessandro Zanardi	11 Johnny Herbert	16 Ricardo Zonta	22 Luca Badoer		
06 Jacques Villeneuve		17 Marc Gené	*Replaces Norberto Fontana		

CONSTRUCTORS

GROUP C			GROUP D		
23 McLaren	25 Williams	27 Benetton	29 Arrows	31 Stewart	33 Minardi
24 Ferrari	26 Jordan	28 Sauber	30 BAR	32 Prost	

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0640 calls cost 60p per minute (standard tariffs apply to +44 870 calls)

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Readers in the UK and Republic of Ireland must call 0640 67 88 88 (+44 870 901 4206 from RoI). Calls last about seven minutes and must be made by Touch-tone telephone. Follow the instructions and tap in your 12 two-digit selections in turn. The order in which you register your first three drivers will be your predictions for the 1st, 2nd and 3rd finishing places for the grand prix where bonus points apply. Then give your team name (up to 16 characters) and details. You can enter until noon on Thursday, March 4, 1999 to qualify for the Australian Grand Prix.

TO ENTER BY POST

Complete the form, right, with your 12 two-digit selections. The order in which you register your first three drivers will be your predictions for the 1st, 2nd and 3rd finishing places for the grand prix where bonus points apply. To qualify for the start of the Australian Grand Prix, postal entries must be received by first post on Wednesday, March 3, 1999.

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THE TIMES NATWEST FANTASY FORMULA ONE ENTRY FORM

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GROUP A AND GROUP B DRIVERS			Mr/Ms/Miss/Ms also DRIVING PLEASE	Initials	Age
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GROUP C AND GROUP D CONSTRUCTORS			Postcode		
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TENNIS

Battersea brings out two sides of Ivanisevic

By Julian Muscat, Tennis Correspondent

Goran Ivanisevic played true to form at the Guardian Direct Cup in London when he mastered Jan Siemerink of Holland, with a display as contrary as the gales blowing outside the purpose-built marquee in Battersea Park yesterday. The Croatian's mood swayed in harmony with the giant temporary structure as he contemplated which of his characters to indulge.

A study in concentration while he ran away with the opening set, Ivanisevic then regressed into the darker side that prompted a verbal volley from Vini Buitendijk, the tournament director in Rotterdam last week. There, Buitendijk was emphatic Ivanisevic, a first-round loser, was not worth his appearance fee.

Thus the Croatian stood, one set all and at odds with the world. He gathered himself, eventually, to fight tooth and nail with an opponent whose

when he said: "There are two people inside me, the one who wants to get nervous and the one who doesn't. The one who does was the stronger one today." Which one will prevail when he plays Hicham Arazi, who yesterday accounted for Bohdan Ulihrach, is anyone's guess.

Lustre has been added to the event by the prospect that Yevgeny Kafelnikov, the top seed and defending champion, could usurp Pete Sampras as the world No 1. Kafelnikov, of Russia, would overhaul Sampras by reaching the final, but a semi-final spot would suffice were he to collect sufficient bonus points en route.

Kafelnikov has been favoured by the draw. Both Tim Henman and Greg Rusedski are stationed in the bottom half, and cannot encounter Kafelnikov before the final. So, too, is Thomas Enqvist, seeded No 8 and beaten by Kafelnikov in the Australian Open final last month.

Enqvist, who has lost just two of his 14 matches this year, maintained his impressive march yesterday when routing Marc Rosset, of Switzerland, 6-1, 6-3. His late addition to the cast, by dint of a wild card, has strengthened the field. Rusedski, for one, will not relish tackling Enqvist in their projected quarter-final.

World ranked as high as No 6 three years ago, Enqvist has returned to full fitness after a spate of injuries. His aggressive, baseline game proved too much for Rosset.

"I actually have a good record against Yevgeny," Enqvist said yesterday. "He can be overpowered, and he plays so many tournaments — both singles and doubles — that he cannot always be at his best. But I am not surprised that he has a chance to get to No 1. He is probably the best all-round player; he can play on any surface."

What demoralised Enqvist about their Australian Open just was that he did not play with the gusto of the previous four weeks. "That day I played good but not great," he reflected. "I didn't serve as well, which stopped me from being as aggressive as I would have liked."

Enqvist next plays David Prinsell, who disposed of Andrei Pavel 7-6, 6-3.

perplexed expression mirrored that of his audience. The deciding set was settled on a tie-break, with Ivanisevic ultimately prevailing 6-3, 0-6, 7-6.

Needless to say, Ivanisevic, seeded No 7, had a novel explanation. "It was strange to play in that tent," he said. "It was so noisy and tough to concentrate: not to freak out, like I did in the second set. You start to think about the roof blowing off. This is London. I'm sure they could find a hall to play in instead of a tent."

Of equal relevance to his unequal performance is that Ivanisevic is woefully short of match practice after withdrawing from the Australian Open with a damaged back. "I am more nervous than usual, and that makes me lose my mind more easily than I should," he explained.

Yet Ivanisevic, one of the few prepared to reveal his emotions, drove closer to the truth



Boit struggles to finish the 10-kilometre cross-country race yesterday after dislocating his shoulder two kilometres out

Kenyan skier faces uphill battle

By Our Sports Staff

Phillip Boit woke up with a fever, fell and dislocated his shoulder, then finished last in the men's 10-kilometre cross-country race at the Nordic skiing world championships in Ramsau, Austria, yesterday. However, it was still a good day for Kenya's lone entrant. He clipped seven minutes off his best time, set at the Winter Olympic Games in Nagano.

"I came here to suffer, to suffer a lot because that is normal for sport. But I didn't think I would suffer this

much," Boit said after crossing the finish line in a blizzard almost 16 minutes behind the winner, Mika Myllylae, of Finland, with whom Boit sometimes trains. Boit, who has yet to win a race, knows all about the agony of defeat. He learnt a little more after eight kilometres yesterday, when he dislocated his shoulder. "I fell, my shoulder popped out and I was just screaming. 'Can you come and help me, please,'" Boit said. "I was

had not seen snow until three years ago. But he has fallen in love with the sport, naming his first child Daehlie, after Bjorn Daehlie, the Norway cross-country skier. A cousin of the athlete, Mike Boit and a former 1500 metres runner himself, Boit covets a gold medal at the Winter Olympic Games. He has trained seriously since September with the Finns, who have adopted him. "My technique has really improved," he said. "My aim is to be champion in three or four years."

Originally part of an experiment to see whether Kenyan athletes could transfer their running skills to skiing, Boit

RUGBY UNION

Scots weigh up official protest over Johnson

By Mark Souster

OFFICIALS from the Scottish Rugby Union were considering last night whether to make a formal protest to their counterparts at Twickenham over the stamping incident involving Martin Johnson and John Leslie during the Five Nations Championship match on Saturday. Although Johnson cannot be cited because the referee, David McHugh, showed the England lock a yellow card, Scottish frustration at a system that prevents them from seeking further redress has prompted Murrayfield to investigate whether and how their feelings can best be aired.

One possibility is that a letter be sent to the Rugby Football Union (RFU), inviting England to consider holding its own inquiry. However, it is highly unlikely that they would feel moved to take action. Leslie has accepted Johnson's explanation and flew to Japan on Sunday where he has a playing contract with a local club.

Meanwhile, Austin Healey's disciplinary hearing will be heard by the RFU on March 8. Healey has already been banned for three weeks by Leicester for stamping on Kevin Pugh, the London Irish scrum half. The club did not believe that sufficient punishment and asked the RFU to take the matter further. If found guilty, Healey faces a 12-week suspension that would rule him out of the remainder of the Five Nations and much of the domestic season. Kevin Yates, the Bath prop, who has also been cited by Wasps for stamping on Paul Voly, is expected to appear before a separate hearing, possibly on March 4.

European Rugby Cup Ltd (ERC) played down reports that it may relocate to Monaco as part of a peace formula that would secure English participation in the competition next season. A spokesman said he was aware of the proposal, "but we are staying where we are. The tournament goes ahead, with or without England, under ERC control."

England have insisted they would not return to ERC under its present structure but might now find themselves with little room for manoeuvre. France hold the key and it appears they are now siding with the Celtic nations, having indicated earlier that they

would support English demands. Further meetings are scheduled this week before ERC meets in Lyons on Saturday morning before the European Shield final.

The board of English First-Division Rugby met yesterday but there was no confirmation that it had agreed, albeit reluctantly, to five places in Europe next season — the first four in the Allied Dumbur Premiership plus the Telford's Bitter Cup winners.

John Jeavons-Fellows has confirmed that he will not seek re-election as one of the RFU's two International Board (IRB) representatives in June. His decision paves the way for Francis Baron, the chief executive at Twickenham, to take his place alongside Malcolm Phillips as proposed in a recent report by Budge Rogers. Jeavons-Fellows, who has spent



Guscott: one-year deal

five of his 16 years on the union as an IRB representative, said yesterday it was time for a younger man to take over. "I am 60 this year and I have done my time. It will enable me to spend more time with my grandchildren."

Jeavons-Fellows served on numerous committees and considers among his significant achievements putting in place the template for the structure of the domestic leagues in 1985. He also played a significant part in the RFU's unilateral television deal with BSkyB three years ago.

On the playing front, Jeremy Guscott has signed a new one-year deal with Bath while Bedford are hoping to finalise the signings of Alex Codling, the lock forward, from Richmond, and Adrian Oliver, of Saracens, on loan.

FOR THE RECORD

ATHLETICS

UEFA, France: International indoor meetings. Men: 50m: 1. A. Dej (Nigeria) 5.61sec; 2. E. Nwankwo (Ghana) 5.82; 3. B. Sani (Nigeria) 5.84. 100m: 1. D. Ross (USA) 7.44sec; 2. C. Hawkins (USA) 7.56; 3. A. Garcia (Cuba) 7.54. 400m: 1. B. Mann (Jama) 46.02sec; 2. S. Warriso (CJ) 46.27; 3.00sec; 1. H. Gbureck (Ghana) 1:17.20sec; 2. P. B. (Ken) 1:17.42; 3. Long (Jama) 1:17.43. 800m: 1. D. Shabazz (USA) 1:50.20sec; 2. B. (Ken) 1:50.20sec; 3. M. (Ken) 1:50.20sec. 1500m: 1. D. Shabazz (USA) 3:50.20sec; 2. B. (Ken) 3:50.20sec; 3. M. (Ken) 3:50.20sec. 5000m: 1. D. Shabazz (USA) 15:00.20sec; 2. B. (Ken) 15:00.20sec; 3. M. (Ken) 15:00.20sec. 10000m: 1. D. Shabazz (USA) 30:00.20sec; 2. B. (Ken) 30:00.20sec; 3. M. (Ken) 30:00.20sec. 20000m: 1. D. Shabazz (USA) 60:00.20sec; 2. B. (Ken) 60:00.20sec; 3. M. (Ken) 60:00.20sec. 40000m: 1. D. Shabazz (USA) 120:00.20sec; 2. B. (Ken) 120:00.20sec; 3. M. (Ken) 120:00.20sec. 80000m: 1. D. Shabazz (USA) 240:00.20sec; 2. B. (Ken) 240:00.20sec; 3. M. (Ken) 240:00.20sec. 160000m: 1. D. Shabazz (USA) 480:00.20sec; 2. B. (Ken) 480:00.20sec; 3. M. (Ken) 480:00.20sec. 320000m: 1. D. Shabazz (USA) 960:00.20sec; 2. B. (Ken) 960:00.20sec; 3. M. (Ken) 960:00.20sec. 640000m: 1. D. Shabazz (USA) 1920:00.20sec; 2. B. (Ken) 1920:00.20sec; 3. M. (Ken) 1920:00.20sec. 1280000m: 1. D. Shabazz (USA) 3840:00.20sec; 2. B. (Ken) 3840:00.20sec; 3. M. (Ken) 3840:00.20sec. 2560000m: 1. D. Shabazz (USA) 7680:00.20sec; 2. B. (Ken) 7680:00.20sec; 3. M. (Ken) 7680:00.20sec. 5120000m: 1. D. Shabazz (USA) 15360:00.20sec; 2. B. (Ken) 15360:00.20sec; 3. M. (Ken) 15360:00.20sec. 10240000m: 1. D. Shabazz (USA) 30720:00.20sec; 2. B. (Ken) 30720:00.20sec; 3. M. (Ken) 30720:00.20sec. 20480000m: 1. D. Shabazz (USA) 61440:00.20sec; 2. B. (Ken) 61440:00.20sec; 3. M. (Ken) 61440:00.20sec. 40960000m: 1. D. Shabazz (USA) 122880:00.20sec; 2. B. (Ken) 122880:00.20sec; 3. M. (Ken) 122880:00.20sec. 81920000m: 1. D. Shabazz (USA) 245760:00.20sec; 2. B. (Ken) 245760:00.20sec; 3. M. (Ken) 245760:00.20sec. 163840000m: 1. D. Shabazz (USA) 491520:00.20sec; 2. B. (Ken) 491520:00.20sec; 3. M. (Ken) 491520:00.20sec. 327680000m: 1. D. Shabazz (USA) 983040:00.20sec; 2. B. (Ken) 983040:00.20sec; 3. M. (Ken) 983040:00.20sec. 655360000m: 1. D. Shabazz (USA) 1966080:00.20sec; 2. B. (Ken) 1966080:00.20sec; 3. M. (Ken) 1966080:00.20sec. 1310720000m: 1. D. Shabazz (USA) 3932160:00.20sec; 2. B. (Ken) 3932160:00.20sec; 3. M. (Ken) 3932160:00.20sec. 2621440000m: 1. D. Shabazz (USA) 7864320:00.20sec; 2. B. (Ken) 7864320:00.20sec; 3. M. (Ken) 7864320:00.20sec. 5242880000m: 1. D. Shabazz (USA) 15728640:00.20sec; 2. B. (Ken) 15728640:00.20sec; 3. M. (Ken) 15728640:00.20sec. 10485760000m: 1. D. Shabazz (USA) 31457280:00.20sec; 2. B. (Ken) 31457280:00.20sec; 3. M. (Ken) 31457280:00.20sec. 20971520000m: 1. D. Shabazz (USA) 62914560:00.20sec; 2. B. (Ken) 62914560:00.20sec; 3. M. (Ken) 62914560:00.20sec. 41943040000m: 1. D. Shabazz (USA) 125829120:00.20sec; 2. B. 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FOOTBALL

Atletico Madrid consider bid for Collymore

By RUSSELL KEMPSON

ATLETICO MADRID are likely to renew their interest in Stan Collymore, the troubled Aston Villa striker, after a weekend in which they lost their last recognised striker, Fernando Correa broke a leg in the 3-2 defeat away to Real Sociedad and reports in Spain yesterday indicated that Jesus Gil y Gil, the Atletico president, wants to move quickly to sign a replacement.

Gil has long admired Collymore, who scored a spectacular goal against Atletico in the second leg of the Uefa Cup quarter-final at Villa Park last season. Although Villa won the match 2-1, they lost the tie on the away-goals rule and Gil was impressed by Collymore's contribution over the two games. When Christian Vieri moved to Lazio last summer, Collymore was on Atletico's shortlist to fill the gap.

A move would suit both clubs. John Gregory, the Villa manager, has long since tired of the striker who was bought by Brian Little, his predecessor, for £7 million from Liverpool in May 1997. Although Collymore has made brief appearances as a substitute in Villa's most recent games against Leeds United and Wimbledon, he has returned to a clinic in London, where he is receiving counselling for stress and clinical depression.

Gregory will mark the first anniversary of his arrival at Villa Park on Thursday and has enjoyed his year in charge — apart from the non-football matters. "I've had to cope with a lot of rubbish," he said yesterday. Collymore's fragile mental state would fall into that category and Gregory would willingly sell him, even for a substantial loss. It is unlikely that another British club would risk signing Collymore but Atletico — and Gil, who is no stranger to controversy — would have no such fears.

Gregory also has to sort out the future of Ian Taylor, the Villa midfielder player, who wants to sign a new long-term contract with the club. Taylor has been told that the matter will not be discussed until the summer. Gregory dismissed reports that he wanted to buy Olivier Dacourt, Everton's French midfielder player, but admitted that he had a "slight interest" in Alan Stubbs, the Celtic central defender.

Liverpool's appeal against the sending-off of Jamie Carragher, their centre back, in the 1-0 defeat by Charlton Athletic ten days ago has been rejected by the Football Association. Carragher was adjudged by Mike Reed, the referee, to have struck Martin Pringle, the Charlton forward, with his arm.

"The video was reviewed by the disciplinary department," an FA spokesman said yesterday. "The decision was that the red card should stand." Carragher will serve a three-match suspension that, because of fixture rearrangements, will stretch to 35 days.

Portsmouth have been warned by the FA that they will face a heavy fine if they fail to control the crowd during future matches at Fratton Park. Joey Beauchamp, the Oxford United striker, was confronted and shoved in the back by a supporter during the 2-2 draw on December 28.

Adrian Titcombe, the FA's head of safety and security, said: "We do not propose to take any action, but the papers will remain on file and behaviour of this sort in future could have serious consequences for the club."

Uefa, European football's governing body, has turned down a request from the Football Association of Wales to switch Wales's European championship qualifying tie against Denmark on June 9 from Anfield to Ninian Park because of security fears. Wales played against Italy at Anfield in September, losing 2-0, but the Wales players want to return to Ninian Park, where they beat Belarus 3-2 in October, because of its intimidating atmosphere.

Unhappy reign: Gus Hiddink faced the press yesterday when the Real Madrid coach insisted he was not about to resign. Hiddink, who joined the European champions last summer after coaching Holland in the World Cup, has come under pressure as Real Madrid slipped to sixth place in the Spanish league after losing 1-0 at home to Athletic Bilbao on Sunday

played over two legs on March 13 and 20.

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Phil Yates on a resurgent former world snooker champion

Hungry Hendry still eager to taste further success

Killing time between practice sessions at the Welsh Open last month, the conversation turned to wildcard selections for a forthcoming invitation tournament. "At this rate it won't be long until you're relying on them," Mark Williams cheekily quipped to Stephen Hendry.

Hendry laughed good-naturedly and accepted the joke in the spirit in which it was intended. Even so, the six-times world champion was acutely aware that many believed Williams's observation to be true.

After all, such luminaries as Steve Davis and Jimmy White will compete in the Charity Challenge at Derby this week thanks to a sponsor's call, having been relegated from the elite top eight in the world rankings who are automatically guaranteed a place in the 12-man event.

An inevitable mellowing with age, the shifting perspective caused by marriage and fatherhood, the dilution of desire created by total prize-money fast approaching £6 million and a "been there,

'I lost confidence in myself, pure and simple'

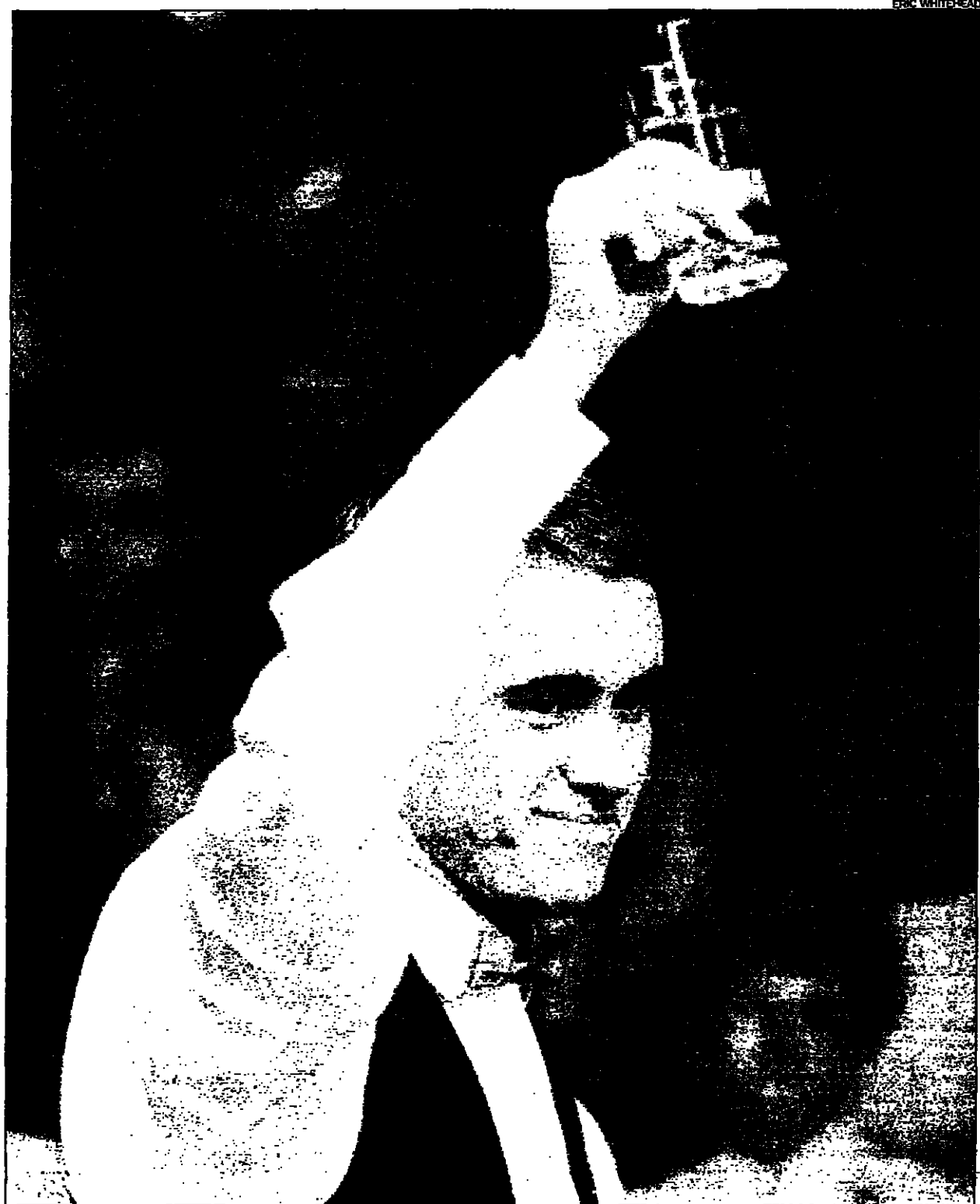
done that," attitude have all been blamed for Hendry's recent decline.

In the two years since the Scot last won a tournament in the United Kingdom, he has been increasingly frustrated, both with an inability to reproduce the form to which he has become accustomed and a growing number of theories on why he is struggling.

Hendry is a devoted husband and a doting father. He is also financially secure and with 68 tournament wins to his credit, he has little to prove. However, those who insist an amalgamation of these factors have led to a motivational drain are incorrect.

The worst spell of a professional career that began in 1985 ended on Sunday when Hendry trounced Graeme Dott 9-1 in the final of the Scottish Open at Aberdeen. Now his doubters are doubting their own judgment.

"You read these things and can't help but be annoyed," Hendry said. "A lot of people don't understand the game and feel they have to give reasons why certain things happen when there aren't any rea-



Glass act: Hendry's 9-1 trouncing of Graeme Dott in the Scottish Open final at Aberdeen secured his first title for two years

sons. I lost confidence, pure and simple. It's happened to many other sportsmen."

So the question has changed. Instead, the snooker cognoscenti are now wondering if the game's pre-eminent force for most of the decade will regain that status entering the new millennium.

Hendry's wealth of achievements, among them the most world ranking titles, the most maximum breaks and the most prize-money, and the most prize-mon-

ey accumulated, make it difficult to defend those who maintain that he is not the most successful player ever. Yet Hendry himself must surely believe that, while becoming a regular winner again is an attainable goal, the dominance he enjoyed from 1990 to 1996 is impossible to duplicate.

Hendry does not stroke in the same high percentage of long pots, but that capability could return. He could also sharpen his safety, a definite Achilles' heel of late. However,

he is powerless to arrest the general improvement in standard of his rivals.

Davis admits that, in most tournaments during the Eighties, he was virtually through to the quarter-finals before a ball was potted. At his peak, Hendry had to deal with greater strength in depth, but not the same overall excellence on display these days. The same school of thought can be applied to golf. Far fewer potential tournament winners teed up in the Fifties and Six-

ties than is the case today, a fact which intensifies Tiger Woods's problems.

At least Hendry has experienced again the satisfaction of victory and demonstrated that he still has the stomach for a battle, having recovered from 5-3 adrift to beat John Higgins 6-5 in the semi-finals three days ago.

It will be a long time before the postman in Auchtermuchty is to deliver any letters to the Hendry household containing a wildcard invitation.

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BOXING

Dunne's defence given screen test

By SRIKUMAR SEN, BOXING CORRESPONDENT

ITV expect viewing figures of at least three million for Colin Dunne's defence of his World Boxing Union lightweight title against Phillip Holiday, of South Africa, at York Hall on Saturday.

Jeff Farmer, the head of ITV Sport, said yesterday that the bout was an important step on the road to bringing boxing back to its network. The bout will be shown at 11.05pm on ITV but the earlier bouts will be screened on ITV2. The aim is not to clash with *Match of the Day*.

Farmer said that he did not want to split the viewing of the sporting public. But he wanted to gauge viewers' interest to see if they can get back to the days when they had figures of fifteen million with fighters

such as Eubank, Benn and Naseem Hamed. "That's why we want to show competitive fights," he said.

It will be Dunne's third defence. He is facing a former International Boxing Federation champion who made six successful defences before losing on points in 1997 to Shane Mosley, of the United States, who is considered one of the leading boxers in the world. Holiday has had only one defeat in 35 contests.

John Hyland, the promoter, said: "All credit to Colin Dunne for taking the fight. Holiday is an extremely good fighter who has come to take his belt. This will give Dunne the right exposure and ITV viewers will get a chance to see a superb match."

WORD-WATCHING

Answers from page 49

LIATRIS

(c) A North American perennial herb of the genus *so called*, belonging to the family Compositae and bearing clusters or spikes of purple or white flowers. Linnaeus.

KEN

(c) A Japanese unit of length equal to six shaku, equivalent to approximately 75.5 inches (1.92 metres).

NGARARA

(c) A name used for various extinct, unidentified, New Zealand lizards. Also, in New Zealand mythology, a lizard-like monster. The Maori name.

HAPAX LEGOMENON

(a) A word or form of which only one instance is recorded in a literature or an author. The Greek means (thing) once said. "She saw herself go through the minutiae of scansion, dialect formations, haplography, hapax legomena and anacolutha in Beowulf."

SOLUTION TO WINNING MOVE

1 b6! cxb6: 2 Rb8 Rxb7: 3 Rh7+ and the black rook is lost.

TELEVISION CHOICE

New balls in Battersea

Tennis: Guardian Direct Cup

BBC2, 2.10pm, Scotland 3.30pm

International tennis returns to the so-called Battersea Big Top alongside the River Thames in Battersea Park. Britain's Tim Henman and Greg Rusedski headline the Guardian Direct Cup, an event that has also attracted a quartet of grand slam champions including last month's Australian Open winner Yevgeny Kafelnikov who defends the Battersea title he won here 12 months ago. Meanwhile, the former Wimbledon champions, Boris Becker — always a crowd favourite — and Richard Krajicek will be in action along with 1998 Australian champion Petr Korda and big-serving Wimbledon finalist Goran Ivanisevic. One-time French Open ladies champion Sue Barker presents with Barry Davies.

Laurence Godfrey



Tim Henman lines up against the best in the world at Battersea (BBC2, times vary)

Close Up: Who Does Julie Burchill Think She Is?

BBC2, 9.30pm

Julie Burchill is one of Britain's most visible journalists, a newspaper columnist for more than 20 years and not quite 40 years old. A formidable physical presence, she punches above her weight in print and has as many admirers as detractors (which is quite a crowd). In recent years she has been as famous for her unconventional private life as for her unabashed issue-bashing. Nikki Hindman's film allows Burchill free rein to show off her home, her bawling relationship with Peter York and to air her generally high opinion of herself. It is perhaps fortunate that she did not try to break would be a better bet than any bus. All sorts of Bat nuts line up for this tribute programme, including the man who spent his entire wedding budget on hiring the Batmobile as a wedding car. There are some similarities between the *Batman* and *Star Wars* phenomena. In that both have become international cults (and multi-million dollar businesses) even though only a limited number of television programmes were made: 120 episodes in the case of *Batman*.

Queer As Folk

Channel 4, 10.30pm

Note the transmission time, well after the watershed. This more-serious-than-it first-appears drama series, set in Manchester's "gay village", centres on three gay men: Stuart and Vince, both 29, and Nathan, who is just 15 and still at school. Within a few minutes, Nathan is in bed with Stuart. Even the proposed lower age of consent

would make this illegal. There are no apologies and very little hand-wringing about it in this eight-part series, written by Russell T. Davies — also responsible for *Revelations*, a famous late-night series fondly remembered by itsomniacs with a warped sense of humour. This is much better: well cast, beautifully acted and directed (the first four) by Charles McDougall. It is also certain to outrage people who do not approve of same-sex relationships, promiscuity or people enjoying themselves.

Seinfeld/The Larry Sanders Show

BBC2, 11.10pm, 11.35pm

Although it has to be admitted that not everybody responds to the humour of these American shows, it is also shameful that the BBC has not given them prime-time slots which would have enabled them to grow a larger audience. They don't even get a guaranteed weekly showing. Tonight's double bill has a very well sustained storyline in Seinfeld involving a psychopathic doorman who makes Jerry's life hell, plus a wonderful parallel tale of male bras and parental problems for George. Larry (Garry Shandling), later, has Winona Ryder as a guest on his show, which has falling ratings and network heavies on its case. Tony Patrick

RADIO CHOICE

Happy Birthday Batman

Radio 2, 9.00pm

Never mind the millennium and other minor events, let's get down to an anniversary that really matters. This is the year when *Batman* gets to be old enough to qualify for a bus pass, although if you need to get somewhere in a hurry hitching a lift from the famed clock would be a better bet than any bus. All sorts of Bat nuts line up for this tribute programme, including the man who spent his entire wedding budget on hiring the Batmobile as a wedding car. There are some similarities between the *Batman* and *Star Wars* phenomena. In that both have become international cults (and multi-million dollar businesses) even though only a limited number of television programmes were made: 120 episodes in the case of *Batman*.

The Directors

Radio 2, 10.00pm

At the risk of today's previews reading like an attempt to wean you on to the full Radio 2 diet, this is another of the network's programmes that warrants a listen. Mark Kermode's series started with a very good interview with Robert Redford last week and maintains the quality today with our own dear golden boy, Kenneth Branagh. He talks interestingly about the formative years in Belfast and trips to see such films as *The Great Escape* and *The Sound of Music*, which have clearly influenced his directorial style. But he says that the principal influence came in his own living room. His father was away a lot and his mother worked so young Branagh spent hours watching films on television with his older brother. Peter Barnard

RADIO 1 (BBC)

6.30am Scott Mills 9.00 Simon Mayo 12.00pm Jo Whiteley 2.00 Mark Radcliffe 4.00 Chris Moyles 6.45 Newsbeat 8.00 Dave Pearson. Chart hits 8.00 Steve Lamacq: The Evening Session. Session tracks with Steve 10.00 Digital Update 10.10 John Peel. With a DJ set by the Breeze 12.00am The Breeze 12.00am Emma B 4.00 Dave Pearson

RADIO 2 (BBC)

6.00am Sarah Kennedy 7.30 Wake Up to Wogan 9.30 Ken Bruce 12.00pm John Inverdale 2.00 Ed Stewart 5.05 Johnnie Walker 7.00 Alan Freeman: Their Greatest Hits 8.00 Nigel Ogden 9.00 Kenny Rogers. See Choice 10.00 The Directors: Kenneth Branagh. See Choice 10.30 Richard Allison 12.00am Katrina Leskanich 3.00 Alex Lester

RADIO 5 LIVE (BBC)

5.00am Morning Reports 6.00 Breakfast with Julian Worraker and Victoria Derbyshire 8.00 Nicky Campbell 12.00pm The Midday News with Alan Robb 1.00 Russell and Co 4.00 Drive with Peter Allen and Jane Garvey 7.00 News Extra 7.30 The Tuesday Match. Full coverage of tonight's big match 10.00 Late Night Live with Nick Robinson 1.00am Up At Night

TALK RADIO

6.00am The Big Boys Breakfast 9.00 Scott Chisholm 12.00pm My Favourite Year 1.00 Anna Raeburn 3.00 Peter Dinkley 5.00 The Sportszone 7.00 Eubank's People 8.00 James White 1.00am Ian Collins and the Creatures of the Night

VIRGIN

6.30am Chris Evans 9.30 Russ Williams 1.00pm Nick Abbot 4.00 Hamel Scott 6.45 Pete and Geoff 10.00 Mark Forrest 1.00am James Minter 4.30 Richard Allen

RADIO 3

6.00am On Air Petroc Trelawny with music and arts news, including a review of a new production of *Carmen* by the Northern Ballet Theatre in Leeds
9.00 Masterworks with Peter Hobday. Liszt (Bela Yaga); Poulenc (Suite Française); Schubert (Piano Sonata in A minor, D784); Saint-Saëns (Le rouet d'Omphale); Beethoven (No. 12, The Year 1817)
10.30 Artist of the Week: Pascal Rogier
11.00 Sound Stories: Pianists Richard Baker introduces music representing Mercury
12.00am Composer of the Week: Copland
1.00 The Radio 3 Lunchtime Concert Live from Broadcasting House, Belfast. Hugo Wolf Quartet of Vienna. Wolf (The Nightingale); Debussy (Five Movements, Op. 51 No. 1)
2.00 The BBC Orchestra BBC Philharmonic under Yan Pascal Tordella and Burton Gierba. Tsimoni Barro, piano. Tchaikovsky (Overture, Romeo and Juliet); Rachmaninov (Piano Concerto No. 2 in C minor); Borodin (In the Steppes of Central Asia); Shostakovich (Symphony No. 12, The Year 1917)
4.00 Voices with Ian Burnside
4.45 Music Machine with Tommy Pearson
5.00 In Tune Sean Rafferty's guest tonight is the leading conductor Nicholas Cleobury
7.00 Performance on 3: Beyond Our Shores (Sounding the Century) Live from the Royal Court Hall, Glasgow. The Nightingale Quartet. Carlos Paredes, arr. Golijov (Romance No. 1)
8.00am On Air Petroc Trelawny with music and arts news, including a review of a new production of *Carmen* by the Northern Ballet Theatre in Leeds
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RADIO 4

5.30am World News 5.35 Shipping Forecast 5.40 Inshore Forecast 5.45 Prayer for the Day 5.47 Farming Today News and issues in rural Britain, presented by Charlotte Swin
6.00 Today with Sue MacGregor and James Naughtie 8.35 (LW) Yesterday in Parliament Update on political developments
9.00 Unreliable Evidence: the mysteries of the legal system uncovered with the aid of expert guests and Clive Anderson
9.30 Home Thoughts Nick Baker looks at Southern Cross a weekly magazine for Britain's Australian community (25)
9.45 (LW) Daily Service Director of music Ian Tracey 9.45 (FM) Service: The Spirit Weekend Part 1
10.00 Women's Hour with Nicola Kearney
11.00 Nature Dr Gillian Rice determines the full effects of caffeine (1)
11.30 Cuscuta: Alyn Terry and Sandra lace danger and confront unhappiness. Karl Newman, Phyllis Logan and Ben Crows star
12.00pm (LW) News Headlines; Shipping Forecast 12.00 (FM) News 12.04 You and Yours Topical consumer programme, presented by Mark Whitaker and Trosie Patterson
1.00 The World at One with Nick Clarke
1.30 My Mistress Music Dora Jordan (45)
2.00 The Archers Broadcast yesterday (1)
2.15 Afternoon Play: The Night House Gillian Tindal's drama about a newlywed who discovers a schoolgirl's journals, unlocking the secrets of her lovely old house. Starring Helen Sheels, Helen Weaver and John Toller (in the Night House)
3.00 The Exchange 0670 010 0444 Eddie Mar assesses listeners' opinions of a topical issue
3.30 Sale of the Century Stephen Bayley presents the last of two programmes looking at creativity in the lucrative world of advertising (1)

3.45 This Scipione Isle Anne Messey narrates part 37 of the history of Britain
4.00 The Learning Curve The Times columnist Libby Purves presents the education guide
4.30 Soap Talk Presented by Heather Payton
5.00 PM with Clare English and Chris Lowe
6.00 5p O'Clock News
6.30 Mammogram A satirical spin on the world of money and the media, by Nick Hildred. With Jonathan Aris, Matthew Bell, Julian Dutton and Wayne Forester (25)
7.00 The Archers William refuses to listen to advice
7.15 Front Row Mark Lawson presents the night's arts programme
7.45 The City of the Bitter Broadcast earlier as part of Woman's Hour (1)
8.00 File on 4 Richard Watson questions the accountability of MEPs
8.40 In Touch News for visually impaired people
9.00 Behind the Brain Geoff Wailes delves into the nature of evidence
9.30 Unreliable Evidence Broadcast earlier (1)
10.00 The World Tonight Presented by Justin Webb
10.45 Book at Bedtime: Post Captain Patrick Melville reads part seven of Patrick O'Brien's nautical novel (1)
11.00 Late Night on 4: Angus Deayton's History of Alternative Comedy Angus Deayton is joined by John Lizar, Jack Dee, Ricky Grover and Weera Syl. Last in series (44)
11.30 (LW) Today in Parliament
11.30 (FM) Talking Pictures Weekly guide to films and TV
12.00am News 12.30 The Little Book of Peckinpah — If it Moves, Kill! Ben B. Hookins reads part two of David Walker's biography of the famous film director. Ride the High Country
12.45 Shipping Forecast 1.00am As World Service

FREQUENCY GUIDE. RADIO 1, FM 97.8-99.8. RADIO 2, FM 88.0-90.2. RADIO 3, FM 80.2-82.4. RADIO 4, FM 92.4-94.8. LW 156.1. MW 720. RADIO 5 LIVE, MW 683, 808. WORLD SERVICE, MW 648; LW 198 (12.45-5.55am). CLASSIC FM, FM 100.1-102. VIRGIN RADIO, FM 106.8; MW 1197, 1215. TALK RADIO, MW 1063, 1089. Television and radio listings compiled by Ian Hughes, Rosemary Smith, Susan Thomson, Jane Gregory and John McNamara.

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NEWS ROUNDUP
One to cut
London

But maybe the Pharaohs got tired of waiting and have taken the initiative by inflicting their curse on the family seat of Highclere Castle instead. Adrian Witley, Highclere's manager, accompanied Lord Porchester on his trip. Sweating for England at the dusty dig-site in his Jermyn Street shirts and silk ties, jingoistically jesting with the locals from under his Panama hat, Witley trumped the most stereotypical image of the haughty Englishman Abroad. Surely he must be the Pharaohs' revenge against the house of Carnarvon, mustn't he?

CHANNEL F

6.00am 5 News and Sport (8103014)
7.00 **WideWorld** The transition from primary to secondary school (T) (6758285)
7.30 **Milkshake!** (8042269)
7.35 **Wives' House** (T) (3723781)
8.00 **Havazkio** (T) (4500255)
8.30 **Dappledawn Farm** (T) (4505525)
9.00 **Instant Gardens** (T) (1298782)
9.25 **Russell Grant's Postcards** (T) (7923033)
9.30 **The Oprah Winfrey Show** (667562) (T)
10.20 **Sunset Beach** Maria drops a bombshell (T) (1676410)
11.10 **Leeza** (4805033)
12.00pm **5 News at Noon** (T) (4576014)
12.30 **Family Affairs** Clare visits Roy in hospital (T) (T): 5 News Update (9528588)
1.00 **The Bold and the Beautiful** Maggie questions Sheri's motives (T) (6577526)
1.30 **The Roseanne Show** Entertainment and chat. 5 News Update (9527859)
2.00 **100 Per Cent Cuts** (5773858)
2.30 **Good Afternoon** (1326168)
3.30 **Creach: The Mystery of Flight 1501** (TVM) 1900) Cheryl Lead stars as a woman who sets out to clear her airline pilot husband of professional negligence. With Doug Sheehan and Jeffrey DeMunn Directed by Philip Saville (T) (9303830)
5.00 **Sunset Beach** Show earlier (T) (T), 5 News Update (7291651)
6.00 **100 Per Cent Cuts** (9929303)
6.30 **Family Affairs** Yasmin agrees to come home (T) (6914385)
7.00 **5 News; Weather** (T) (5773034)
7.30 **Champions of Nature** The work of Paul Spang, who devotes his time to studying

8.00 Crime Report (15) (603575) Taylor presents a new series of hard-hitting investigations on all aspects of crime and explores the topical issues behind the week's headlines. The first programme focuses on the deadly feud between the county's motorcycle gangs, and reports on one of Britain's top suppliers of guns to the underworld (1/6) (5780052)

8.30 What's the Story? New series of the current affairs magazine. Members of the public voice their concerns over the increasingly widespread use of cellular phones, including a woman who claims to have suffered head and memory loss which she attributes to her mobile phone (5/72859).

9.00 Johnny Mnemonic (1995) **Premiere.** Keanu Reeves stars as a futuristic courier who attempts to download vital information from a man whose microphone implanted in his brain before he kills him — unwittingly setting himself up as a target for an evil corporation desperate to get hold of the data for themselves. With Deloid Lundgren and Ice T. Directed by Robert Longo (T 1993/93/23).

10.50 The Untouchables (1994) **Repeat.** The gangster by the name of Alvin Karpis on a TV discussion show. Booth takes Elizabeth Carter captive at her cabin (R 42/93/35).

11.45 The Jack Docherty Show With John Peel (7/96/4/33).

12.25 Live and Dangerous The all-night sports magazine (115/16/18).

3.45 Asian Football Show (39/90/75).

4.40 Prisoner Cell Block H (33/58/27).

5.30 100 Percent R (95/68/14).

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4.00pm The Civil War: The Most Hallowed Ground 8.00 Trawlers 8.00 Secrets of Sex 7.00 Warhorse: A Beast for Heroes

9.00am Food Network. Daily 9.30 *Coxon's Kitchen* College 10.00 *The Green Gourmet* 10.30 *Alive and Cooking* 11.00 *What's Cooking?* 11.30 *A Slice of the Action*

12:00pt Food Network Daily 12:00 Lofa's Louisiana 1.00 Cozon's Kitchen College 1.30 Thoroughly Modern 2.00 Chez Bruno 2.30 Food Network Daily 3.00 Winter Nosh 3.30 A Slice of the Action 4.00 Twenty-Seven and Counting 4.30

Baires 5.00 Close
LIVING
5.00am Tiny and Crew 6.20 Johnson and
Friends 6.30 Goodhouse and the Crew

and Norm 6.40 Tiny Tales 6.45 Phibun the Frog 8.50
Polka Dot Shorts 7.00 Practical Parenting
7.05 Professor Bubble 7.30 Gailou 7.35
Bug Alert 7.55 Practical Parenting 8.00
Barney and Friends 8.25 Bababop 8.30

Kids 5.30	Cartoon 6.30 Tiny and Drew 8.50 Practical
SOS 6.30	Parenting 9.00 Can't Cook, Won't Cook
Entertainment 8.00	8.30 The Roseanne Show 10.00 The Jerry
ere 9.00	Springer Show 10.50 Maury Povich 11.40
with 11.00	Brookside 12.10pm Animal Rescue 12.40

Beyond Belief 6.00 Fact or Fiction 2.10 LA Law
3.10 Living Room 4.00 Michael Cole 4.50
Ritonda 5.40 Ready, Steady, Cook 6.15
The Jerry Springer Show 7.05 Rescue 911
7.30 August 8.00 8.10 Mervyn Dineen

9.00 **FILM:** *Murder on the Rio Grande* (1993) 11.00 *Sex. Lie. Down Under* 12.00am *Close*

5.00 Pet
6.00 The
ury 6.30
orics 8.00
News 8.00
5.00am Punjab Folk Songs 5.30 Music
Time 6.00 Aap Ki Faramaish 6.30 Usha
Uthap Show 7.00 Faith Hindu 7.30 Daily
News 8.00 Out and About 8.30 Salaab

Paradisees 3.00
 All-Star TV 11.00
 Close 12.00pm FILM 3.00
 Bangla 3.30 Cine Magic 4.00 Akbar Barai
 4.30 Zee Top 10 5.30 Aashirwad 6.00 1-10

Amazon
ters Men
m Killers
ger 11.00

Chalo Cinema 8.00 News 8.30 Dargaz 9.00
Do Aur Do Paanch 8.30 Zanjeeren 10.00
Hadd Kar Di 10.30 Mahabharat 11.30
Yaadon Ke Rang 12.00am News 12.30

1.30 Raahat 2.00 FILM 4.30 Lolly-Pop



GOLF 46

Els learns to take success in his stride

SPORT

TUESDAY FEBRUARY 23 1999

SNOOKER 50

Hendry delighted to be back in the frame



Fifa allow Cup game to go ahead

Arsenal given approval to restage tie

BY RUSSELL KEMPSON

AS THE Sheffield United team coach pulled out of Bramall Lane at 1pm yesterday, nobody knew whether or not they had a game to go to. Not the Football Association, who originally sanctioned the rematch of their FA Cup fifth-round tie against Arsenal this evening; nor Fifa, world football's governing body, which had initially and swiftly rubberstamped the FA's decision; and certainly not the players, officials and supporters of the clubs.

Fifa's emergency committee was meeting in Zurich to ratify the endorsement of Sepp Blatter, the Fifa president, who had welcomed the offer of Arsenal to restage the match they had won 2-1 on February 13. Blatter, a champion of fair play, had called it a "wonderful gesture" and given it his immediate blessing. The internal politics of Fifa then took over, placing the tie in jeopardy. It was only after much soul-searching, and at 7.30pm last night, that Fifa finally gave the green light.

"I'm pleased rather than relieved," David Davies, the FA's acting chief executive, said. "We expected this decision. Fifa had made it clear that they not only approved of what we had done, but they praised us for doing it."

"All they wanted was clarification of which rule of the competition we had taken into account and we provided them with that. As far as we are concerned, it was a great opportunity for Fifa to show that their commitment to fair play means something in practice. We, Arsenal and Sheffield United have already shown that."

Tony Adams, the Arsenal captain, said that the players would not have lived with themselves if they had not given United another chance.

"There's no way I could have lifted the trophy in May, having not replayed this game. We want it to be played. We think it's fair that we start again," he said.

At the weekend, Fifa's attitude appeared to have changed. At a meeting of the International Board, the game's law-makers, in Cardiff, Michael Zen-Ruffinen, Fifa's general secretary, said: "What we have to consider is whether the rules of the competition have been adhered to. If we have to take a decision that



Wenger: offered rematch

is unpopular, we have to do that."

The debate in Zurich yesterday began in the afternoon, lasted into the evening and involved much heated discussion between many of Fifa's most senior figures. It is believed that several of them were not pleased by Blatter's unilateral decision that the game could be restaged at Highbury, and that they should at least have been consulted.

Arsène Wenger, the Arsenal manager, and prime mover in the offer to play again, even

hinted that his club, the Cup holders, might consider withdrawing if Fifa had ruled that the original result should stand. "It would leave us in a difficult situation," he said. "We could drop out of the competition or go on and play. No matter what we did, it would be the wrong thing."

"If we played on, we would always feel we did not win properly. We could go out of the cup without losing a game but it would also be difficult for us to play on."

"I'm surprised by Fifa's actions. At first it looked all right because Sepp Blatter came out and congratulated the club. Maybe someone who is responsible for respect of the rules suddenly discovered there is no reason to replay the game. Twenty-four hours before the game is not the best way for this to happen."

Ken Friar, the Arsenal managing director, said: "We are enormously disappointed that Fifa should cast a shadow of doubt over the game. Apart from unsettling both teams' pre-match preparations, both sets of supporters have already purchased their tickets and are looking forward to it. It is unreasonable to play on their emotions in this way."

United officials were left similarly helpless, having sold 4,000 tickets to a match that they were not sure would go ahead. "The FA gave permission for the game and both us and Arsenal intend to play," Philip Wood, United's executive director, said. "We believe that good sense will prevail for all parties and for the good of football."

Steve Bruce, the Sheffield United manager, said: "The lads are still bubbling and looking forward to it. I would have thought that any intervention by Fifa would have come a lot sooner."

Bruce was incensed when Marc Overmars scored the winning goal in the first game, after Nwankwo Kanu had taken advantage of a throw-in from Ray Parlour. The ball should have been returned to United after Alan Kelly, their goalkeeper, had kicked it into touch so that Lee Morris, his team-mate, could receive treatment for an injury.

Although it is an unwritten code of conduct throughout the world, Kanu was apparently unaware of the reason why Kelly had kicked the ball out. Overmars also later claimed innocence but Wenger, in conjunction with David Dein, the Arsenal vice-chairman, quickly offered a rematch. The FA had agreed it within an hour of the end of the game. United had played well and, at 1-1, appeared capable of forcing a replay at Bramall Lane — until the controversial goal. They might find it a different proposition second time around.

Howey dispels Newcastle fears

BY STEPHEN WOOD

STEVE HOWEY, the Newcastle United defender, appeared to curtail speculation over his future yesterday, when he agreed to sign a contract that will keep him at St James' Park until 2003. The improved deal could also see Howey treble his weekly wage. Howe, 27, has put a number of injury-ravaged seasons behind him to establish himself as an integral member of the club under Ruud Gullit, the Newcastle manager.

However, negotiations over a new deal slowed in recent weeks, prompting other clubs to show an interest in the former England defender. Sunderland, of the Nationwide League first division, were believed to be considering an attempt to take Howe back to his home town, while Liverpool also saw Howe as an answer to their long-standing defensive frailties.

Howey, though, maintained that he wanted to stay at Newcastle, the club where he has spent his entire career. Freddie Shepherd, the Newcastle chairman, put a final



Enqvist hits a forehand during his defeat of Rosset on the opening day at Battersea Park

Howey dispels Newcastle fears

offer in front of Howey yesterday, a deal that is expected to earn him around £18,000 a week. Howey was a member of the Newcastle side that lost 2-1 at Southampton on Saturday, where he had a rare indifferent game, which included gifting the home side their opening goal and then narrowly escaping being sent off after a challenge on Jamie

Beattie, the Southampton striker. "I cannot ever remember dropping a danger like I did for their first goal," Howey said. "But there's nothing you can do about it once it's done. You just have to keep concentrating."

Gary Speed, the Newcastle midfielder, has been given a one-match suspension after picking up his fifth booking of the season against Southampton.

If Newcastle overcome Blackburn Rovers in the FA Cup fifth-round replay tomorrow night, Speed will miss the quarter-final tie against Everton. However, Silvio Maric, Newcastle's new signing from Croatia, will be available for that match if his work permit comes through as expected.

Jaap Stam, the Manchester United defender, is expected to be fit for the European Cup quarter-final first-leg match against Internazionale tomorrow week.

Stam was substituted at half-time in the FA Carling



Howey: keen to stay

Richardson's reluctance causes split with Lloyd

BY JULIAN MUSCAT, TENNIS CORRESPONDENT

AN uncomfortable split has developed between David Lloyd, the Great Britain Davis Cup captain, and Andrew Richardson, who, it emerged yesterday, declined a wildcard entry to the Guardian Direct Cup in London. Lloyd was "very disappointed" that Richardson, a former British No 3, turned down the chance to gain valuable singles experience ahead of Britain's tie with the United States in April. The team captain was anxious to prime Richardson as cover against injury to Tim Henman and Greg Rusedski.

The latter pair are automatic selections but their unavailability would dent aspirations for the first round in the world group, to which Britain gained promotion last year. However, Richardson, who is playing his way back from a slump in form and a crisis of confidence, maintained that he did not merit a place in the £500,000 tournament, which opened at Battersea Park yesterday.

"People are frankly kidding themselves if they thought I could go in there this week and beat a couple of world-class opponents," Richardson said yesterday. "It was a total shock to be offered a wildcard. I just did not feel comfortable taking it."

All credit to Richardson, whose world ranking has plummeted to No 444 from a career-high No 132 two years ago. A Bisham Abbey graduate, he abandoned the game after Wimbledon, when disillusionment overwhelmed him, before returning in second-grade events towards the end of last year. He has since continued in that sphere, mostly playing doubles, with limited success.

For all that, Lloyd cannot dismiss from memory Richardson's defeat of Byron Black in the Davis Cup defeat by Zimbabwe more than two years ago. Both Henman and Rusedski were injured for the tie, which Britain lost 4-1. Lloyd was thus anxious to keep the Richardson option open for the tie between the two nations who established the Davis Cup exactly 100 years ago.

"I have to respect his decision but it is a big disappointment to me," he said. "It worries me that he doesn't want to play against world-class opposition." His argument — that he doesn't deserve a wildcard — is a good one, but then, which British player does? None at all, according to the event's organisers. The three wild cards, usually given to lesser players of the nation staging an ATP Tour tournament, were dispensed elsewhere.

"At least Andrew is being honest," Jeremy Dier, the tournament promoter, said. "There are lots who would have turned up, taken the money and run." Last year Richardson and Martin Lee received wild cards, while Wilkinson, whose ranking of No 182 makes him the British No 3, came through the qualifying tournament. One wildcard was offered to the Lawn Tennis Association for a British player of their choice this year.

However, in a refreshing departure from begging-bowl mentality, the association declined and asked for an extra wildcard for the qualifying competition. Of the four Britons nominated, Lee, David Sherwood and Simon Dickson lost their first match, while Wilkinson lost in round two.

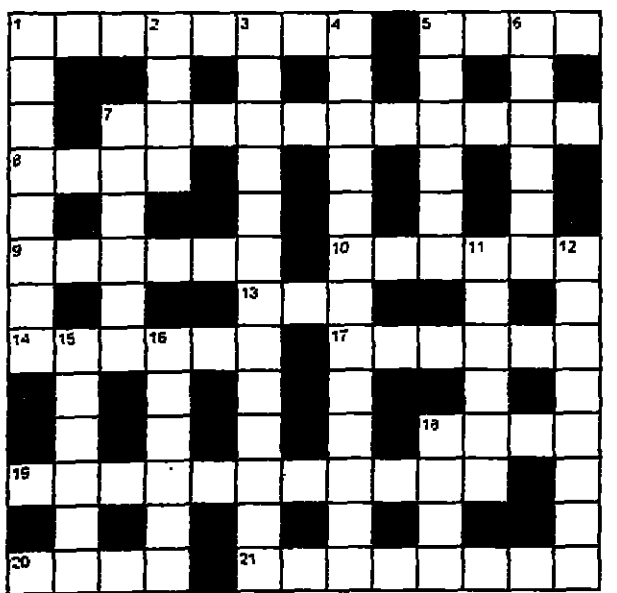
This poor level of performance, coupled with Lloyd's appeal to Richardson, underlines just how barren is British talent below Henman and Rusedski. "While Tim and Greg keep going up, there is no doubt that the standard is going downhill very quickly," Lloyd said. "The gap is getting wider and wider and it is a dangerous zone. It is a big worry to have two superstars and no one else."

News of the frisson will have registered with Jan Michael Gambill, the American, who, a touch ironically, received one of the three wild cards. Gambill, a client of Proserv, a part-promoter of the event, will almost certainly be in the United States Davis Cup squad.

"I have to respect his decision but it is a big disappointment to me," he said. "It worries me that he doesn't want to play against world-class opposition." His argument — that he doesn't deserve a wildcard — is a good one, but then, which British player does? None at all, according to the event's organisers. The three wild cards, usually given to lesser players of the nation staging an ATP Tour tournament, were dispensed elsewhere.

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TIMES TWO CROSSWORD



No 1648

ACROSS

- 1 Barbara —, abstract sculptor (8)
5 Zendo author; a Christian virtue (4)
7 In regularly returning way (11)
8 Extend across (4)
9 Still surviving (6)
10 Bury (6)
13 Ugly witch (3)
14 Deduce, draw (from source) (6)
17 A wind player (6)
18 Rental (4)
19 Delusions of grandeur (11)
20 Immediately following (4)
21 Royalty (8)

DOWN

- 1 50-gallon (wine, beer) cask (8)
2 Bird; a servicewoman (4)
3 Non-stop (5,3,5)
4 Oh no! A (boring, painful) repeat! (4,2,2,5)
5 True, upright (6)
6 Calm stolidity; a body humour (6)
7 Roof beam (6)
11 Malvolio courts her (7, Night) (6)
12 To flatter (6,2)
15 Exhausted, decadent (6)
16 Untouched (6)
18 Make disappearing noise (4)

SOLUTION TO NO 1647

- ACROSS: 1 Flower 5 Baffle 8 Deli 9 Bushbaby 10 Stately
11 Libva 13 Superintend 16 Still 18 Faience 21 Coercion
22 Ural 23 Gnomie 24 Dreamy
DOWN: 2 Laertes 3 Waist 4 Ribaldry 5 Base 6 Febrile
7 Lobby 12 Unmanned 14 Pilgrim 15 Declaim 17 Thorn
19 Etude 20 Disc

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